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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 20th March 1962 :—

Issue No.	No. and Date	Issued by	Subject
107	S.O. 725 dated March, 1962.	13th Ministry of Home Affairs.	This Order may be called the Delimitation of Territorial Council Constituencies. (Himachal Pradesh) Order, 1962.
108	S.O. 789, dated March, 1962.	14th Ministry of Finance	Amendment to S.R.O. 1121, dated the 11th May, 1956.
109	S.O. 790, dated March, 1962.	14th Ministry of Information and Broadcasting.	Approval of films specified therein.
110	S.O. 791, dated March, 1962.	15th Election Commission, India.	Calling upon the elected members of the Legislative Assembly of the State of Rajasthan to elect a person to fill the vacancy so caused before the 7th April, 1962.
	S.O. 792, dated March, 1962.	15th Ditto.	Appointment of dates for the election to the Council of States in pursuance of its notification No. 100/2/69/62(1), dated the 15th March, 1962.
	S.O. 793, dated March, 1962	15th Ditto.	Designating the Secretary, Rajasthan Legislative Assembly Jaipur, to be the Returning Officer for the election to the Council of States.
	S.O. 794, dated March, 1962.	15th Ditto.	Appointing the Deputy Secretary, Rajasthan Legislative Assembly, Jaipur, to be the Assistant Returning Officer to assist the Returning Officer for the election to the Council of States.
	S.O. 795, dated March, 1962.	15th Ditto.	Fixing the hours from 10 00 a.m. to 3.00. p.m. as the hours during which the poll shall be taken for the election to the Council of States.

Issue No.	No and date	Issued by	Subject
111	S.O. 796, dated March 1962.	15th Ministry of Law	These Rules may be called the Presidential and Vice-Presidential (Amendment) Rules, 1962.
112	S.O. 797, dated March 1962.	17th Election Commission, India.	Calling upon the elected members of the Legislative Assembly of the State of Orissa to elect a person to fill the vacancy caused before the 9th April, 1962.
	S.O. 798, dated March 1962.	17th Ditto.	Appointment of dates for the election to the Council of States in pursuance of its Notification No. 100/2/71/62(1), dated the 17th March, 1962.
	S.O. 799, dated March 1962.	17th Ditto.	Designating the Secretary, Orissa Legislative Assembly Department, Orissa, to be the Returning Officer for the election to the Council of States.
	S.O. 800, dated March 1962.	17th Ditto.	Appointing the Assistant Secretary, Orissa Legislative Assembly Department, Orissa to be the Assistant Returning Officer to assist the Returning Officer for the election to the Council of States.
	S.O. 801, dated March 1962.	17th Ditto.	Fixing the hours from 10.30 a.m. to 2.00 p.m. as the hours during which the poll shall be taken for the election to the Council of States.
113	S.O. 846, dated March 1962	17th Ministry of External Affairs	Extending the Citizenship Act 1955(57 of 1957) to the Union Territory of Dadra and Nagar Haveli.
	S.O. 847, dated March 1962.	17th Ditto.	Extending the Citizenship Act, 1955 (57 of 1957), to the Union Territory of Goa, Daman & Diu.
	S.O. 848, dated March 1962.	17th Ditto.	This Order may be called the Goa, Daman and Diu (Administration) removal of Difficulties Order, 1962.
114	S.O. 849, dated March 1962.	19th Ministry of Labour and Employment.	Appointing the 25th March, 1962 as the date on which the provision of Chapter IV (except sections 44 and 45) Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 & 81) of the Employee's State Insurance Act, shall come into force in the area under Had Bast No. 103 of village Chachahk in Tehsil Phagwara, District Kapurthala.
115	S.O. 850, dated March 1962.	20th Ministry of Steel, Mines & Fuel.	Amendment in S.O. 3095, dated the 29th December, 1961.
116	S.O. 851, dated March 1962.	20th Ministry of Labour & Employment.	Amendment in S.O. 230, dated the 19th January, 1962.
117	S.O. 852, dated March 1962.	20th Election Commission, India.	Amendment in Notification No. 434/PB/62(1), dated the 12th January, 1962.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories)

ELECTION COMMISSION, INDIA

New Delhi, the 20th March 1962

S.O. 892.—Whereas the election of Shri Surendra Nath Dwivedi as a member of the House of the People from the State of Orissa from the Kendrapara parliamentary constituency has been called in question by an election petition presented under Part VI of the Representation of the People Act, 1951, by Shri Surendra Mohanty son of late Lokanath Mohanty of Purusottampur, Police Station Salepur, District Cuttack in the State of Orissa;

And whereas the Election Commission has caused a copy of the petition to be published in an official gazette and has served a copy thereof by post on the respondent under sub-section (1) of section 86 of the Representation of the People Act, 1951;

Now, therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act, the Election Commission hereby appoints Shri Brij Mohan Lall, retired Judge of the High Court at Allahabad, as the member of the Election Tribunal for the trial of the said petition and Bhubaneswar as the place where the trial of the petition shall be held.

[No. 82/1/62.]

K. K. SETHI, Under Secy.

New Delhi, the 23rd March 1962

S.O. 893.—In pursuance of the provisions of sub-section (1) of section 86 of the Representation of the People Act, 1951, the Election Commission hereby publishes a copy of the Election Petition No. 5 of 1962, presented to the Commission on the 17th March, 1962, under section 81 of the said Act, by Shri Ram Nath, son of Shri Bhurey Singh, resident of Habilia, Hamlet of Urthan, Tehsil Karhal, District Mainpuri, Uttar Pradesh, calling in question the election to the House of the People from the Mainpuri constituency of Shri Bad Shah Gupta, Chhapatti Uttari, Mainpuri, Uttar Pradesh.

ELECTION PETITION NO. 5 OF 1962

Presented to me by Shri Ram Nath whose signature has been obtained in the margin and attested as having been signed before me this the seventeenth day of March, one thousand nine hundred and sixtytwo.

Sd./- Ram Nath,
Signature attested
Sd./- K. K. SETHI,

Under Secretary,
Election Commission, India,
17-3-62.

Sd./- K. K. SETHI,
Under Secretary,
Election Commission, India.
17-3-62.

TO THE ELECTION COMMISSION OF INDIA**ELECTION PETITION NO. 5 OF 1962**

*Under section 81 of Representation of People Act 1951,
relating to 70 Mainpuri Parliamentary constituency.*

UTTAR PRADESH

Ram Nath, son of Shri Bhurey Singh, aged about 52 years, resident of Habilia, Hamlet of Urthan, Tehsil Karhal, District Mainpuri—*Petitioner.*

Versus

1. Shri Bad Shah Gupta, 98, Chhapatti Uari, Mainpuri.
2. Shri Amiri Lal, Etawah Road, Sirsa Ganj, P.O. Sirsa Ganj, District Mainpuri.
3. Shri Jagdish Singh, village Jagadish Nagar, P.O. Tindauli, District Mainpuri.
4. Shri Janki Prashad, Village & P.O. Bhogaon, District Mainpuri.
5. Sri Brijpal Singh Nin, C/o Shri Bijendra Pal Singh Yadav, Mohalla Chapatti, Mainpuri.
6. Shri Lala Ram Yadav, Nagla Khokhar, P.O. Bewar, District Mainpuri.
7. Shri Vishnu Dayal, Mohalla Vishnuapuri, P.O. Jasrana, Mainpuri—*Respondents*.

1. That the petitioner was one of the candidates for the election of 70 Mainpuri Parliamentary Constituency for the General Election of 1962.

2. That the seven respondents were other candidates for the same. The polling for the said Parliamentary Constituency was held on 21st, 23rd and 25th of February, 1962 in respect of 349 Ghirore, 347 Karhal on the 21st of February, 1962 and in respect of 345 Bhogaon and 346 Kishani on the 23rd of February, 1962 and in respect of 348 Mainpuri on the 25th of February, 1962. The five abovementioned Assembly Constituencies comprise the 70 Mainpuri Parliamentary Constituency for which the petitioner was one of the candidates.

3. That the counting of the votes for the 70 Mainpuri Parliamentary Constituency in respect of 349 Ghirore was started on the 26th of February, 1962 and completed on the 27th of February, 1962, while in the case of 348 Mainpuri the same was commenced on the 27th of February 1962 and completed on the 28th February, 1962. The counting of 345 Bhogaon, 346 Kishani, and 347 Karhal was started on 28th February, 1962 and completed on the same day i.e. 28th February, 1962.

4. That according to the Counting figures as given out by the Returning officer the petitioner got 51524 votes and the Respondent No. 1 got 52328 votes, Respondent No. 2 got 5240 votes, Respondent No. 3 got 36331 votes, Respondent No. 4 got 22708 votes, Respondent No. 5 got 32048 votes, Respondent No. 6 got 7213 votes, and Respondent No. 7 got 31186 votes.

5. That after the completion of the counting of the votes of 70 Mainpuri Parliamentary Constituency comprising of 345 Bhogaon, 346 Kishani, 347 Karhal, 348 Mainpuri, and 349 Ghirore, the petitioner applied in writing to the Returning officer for the recount of all the ballot papers of the 70 Mainpuri Parliamentary Constituency, but the Returning Officer rejected the same on the next day, i.e. on the 1st March, 1962.

6. That the Returning officer on the same day declared the election to the effect that the Respondent No. 1 was the elected candidate.

7. That on 25th February, 1962 the petitioner appointed 16 persons for working as his counting agents for the counting to be done on 26th February, 1962 at the Antarim Zila Parishad Office, Collectorate Compound, Mainpuri in respect of Parliamentary votes.

8. That this appointment was made under Rule 52 of the Conduct of Election Rules, 1961.

9. That in the morning of 26th February, 1962 the petitioner was informed that only four counting agents could be allowed and so the petitioner was directed to file a new appointment form 18, which the petitioner accordingly did by appointing only four persons.

10. That the counting of votes started on the 26th of February, 1962, at 10-30 A.M. There were 16 tables on which the counting was being done. The petitioner had been permitted to appoint only four counting agents, the result being that the counting agents could not perform and discharge their duties and could not check the gross violation of rules and law by the authorities concerned in the scrutiny and counting of the ballot papers.

11. That the counting of votes for the 70 Mainpuri Parliamentary constituency continued without any break till about 9-0 P.M. in respect of 349 Ghirore. There was a break-down of electric lights at about 9-0 P.M.

12. That the ballot papers in violation of Rule 60 of the Conduct of Election Rules 1961 were kept lying on 16 tables till patromax lanterns were brought after sometime.

13. That prior to the failure of electricity there was a wind-storm.

14. That due to this wind-storm the counting was disturbed but no precautions as provided for in Rule 60 of the Conduct of Election Rules, 1961 were taken.

15. That after the recommencement, counting was continued to be done in the insufficient light provided by two patromax lanterns covering a large area on which 16 counting tables were spread with only 4 counting agents which had been permitted by the authorities. The counting continued till about 10-00 P.M. when it was adjourned for the next day, i.e. 27th February, 1962.

16. That the counting on the 27th of February, 1962 continued when it was completed in respect of the area of 349 Ghirore.

17. That in respect of 349 Ghirore, which is included in 70 Mainpuri Parliamentary Constituency, for which counting was done on 26th and 27th of February 1962, a large number of valid votes were improperly rejected. A list of such improperly rejected ballot papers, which should have been counted as valid votes of the petitioner, is attached to this petition as Annexure 'A'.

18. That the list is not complete for the simple reason that it does not include all the improperly rejected valid ballot papers of the petitioner as the petitioner had been allowed only four counting agents while there were 16 tables on which counting was being done, it being impossible for these 4 counting agents to have an exact account for these improperly rejected valid ballot papers. There was also insufficiency of light.

19. That on the other hand a large number of ballot papers of Respondent No. 1, which should have been rejected under the conduct of Election Rules, 1961, were wrongly counted as valid votes. A list of such ballot papers, which should have been rejected in respect of 349 Ghirore, which is included in 70 Mainpuri Parliamentary Constituency, is attached to this petition as Annexure 'B'. The list is not exhaustive for reason given in paragraph 18 above.

20. That a large number of ballot papers of the petitioner in respect of 349 Ghirore, which is included in 70 Mainpuri Parliamentary Constituency, have been counted as valid votes of other candidates from Respondents No. 1 to 7. This could be manipulated because the number of counting agents were not sufficient and there was failure of electricity etc. as has already been mentioned in the foregoing part of the petition. A list of such valid ballot papers of the petitioner, which have been wrongly counted as valid ballot papers for the Respondent Nos. 1 to 7, is attached to this petition as Annexure 'C'. The list is not exhaustive for the reasons given in paragraph 18 above. Besides this, some of the votes of the petitioner in respect of this part of the 70 Mainpuri Parliamentary Constituency were not counted at all.

21. That on 27th February, 1962 the counting of the votes of 70 Mainpuri Parliamentary Constituency in respect of the area of 348 Mainpuri commenced at about 3-00 P.M. This started after the counting with regard to the area of 349 Ghirore was over. The counting for the above mentioned area started at the same premises and there were equal number of tables i.e. 16 in number, and only four counting agents of the petitioner were allowed to work.

22. That there was again a failure of electricity at about 7-00 P.M. and the counting was suspended, but the procedure provided for under the Conduct of Election was not adopted and the ballot papers were kept lying on the counting tables. Later on two gas lanterns were brought, but in spite of the fact that the light was not sufficient, counting was resumed after which electric light started working again but went off after about half an hour and the counting continued again with the help of the insufficient light of the two gas lanterns. This continued till about 10 P.M. when the counting in respect of this area was adjourned for the next day.

23. That the counting in respect of the votes for 70 Mainpuri Parliamentary Constituency in respect of this area of 348 Mainpuri was resumed at about 9-30 A.M. on 28th February 1962 at the same place and the arrangement with regard to the tables and counting agents continued to be the same.

24. That the counting for this area continued without a break till about 9-00 P.M. in the night when it finished.

25. That on 28th February, 1962 again there was a failure of electric light at about 7-00 P.M. and the counting had to be suspended without taking the precautions as provided for under the conduct of Election Rules. When the gas lanterns were brought, the counting was resumed, but then again there was a failure of electricity at about 7-30 P.M. but the counting continued with the help of insufficient light of the gas lanterns.

26. That a large number of the ballot papers of the petitioner, which were valid, were wrongly rejected in respect of this part of the 70 Mainpuri Parliamentary Constituency. A list of such wrongly rejected ballot papers, which should have been counted as valid votes of the petitioner, is attached to this petition as Annexure 'D'. The list is not exhaustive for the reasons stated in paragraph 18 above.

27. That a large number of the ballot papers in respect of this area also of 70 Mainpuri Parliamentary Constituency, which should have been rejected in accordance with rules, were wrongly counted as valid votes of the Respondent No. 1. A list of such ballot papers, which have been wrongly counted as Valid votes of Respondent No. 1, is attached to this petition as Annexure 'E'. The said list is not exhaustive for the reasons given in paragraph 18 of this petition.

28. That a large number of the valid votes of the petitioner in respect of this area of 70 Mainpuri Parliamentary Constituency also have been wrongly counted as the votes for Respondents No. 1 to 7. A list of such valid votes is attached to this petition as Annexure 'F'. The said list is not exhaustive for the reasons already given.

29. That a large number of the valid ballot papers of the petitioner in respect of this area of 70 Mainpuri Parliamentary Constituency, which should have been counted as valid votes, were completely missing. It is obvious that the same have been removed by the authorities concerned and other interested persons in violation of the election law and rules.

30. That the counting of votes of 70 Mainpuri Parliamentary Constituency in respect of the area of 345 Bhogaon commenced at about 10-00 A.M. on 28th February, 1962, at Antarim Zila Parishad, Office, Collectorate Compound, Mainpuri. There were 16 counting tables as usual but the petitioner was permitted to appoint only four counting agents.

31. That the counting for this particular area continued till about 10 P.M. but there was the usual failure of electric lights at about 7-00 P.M. and 7-30 P.M. and the counting was done in the light of gas lanterns, which was hardly sufficient.

32. That a large number of valid ballot papers of the petitioner in respect of this area also, which should have been counted as valid votes, were wrongly rejected. A list of such ballot papers is attached to this petition as Annexure 'G'. The list is not exhaustive for the reasons given in paragraph 18 above.

33. That a large number of ballot papers of Respondent No. 1, which should have been rejected, were wrongly counted as Valid votes in respect of this area of 345 Bhogaon of 70 Mainpuri Parliamentary Constituency also. A list of such ballot papers is attached to this petition as Annexure 'H'. The list is not exhaustive for the reasons given in paragraph 18 of this petition.

34. That again a large number of the valid votes of the petitioner of this area of 70 Mainpuri Parliamentary Constituency were wrongly counted as valid votes of Respondents No. 1 to 7. The list is attached to this petition as Annexure 'I'. The list is not exhaustive for the reasons given in paragraph 18 above.

35. That the counting of the votes for 70 Mainpuri Parliamentary Constituency in respect of the area of 346 Kishani commenced on 28th February, 1962, at about 10-00 A.M. in a separate camp in the Antarim Zila Parishad Office, Collectorate Compound, Mainpuri. The counting tables, were as in respect of earlier ones, 16, but only four counting agents were allowed to be appointed. The counting continued till about 9-00 P.M. but here was usual failure of electricity at about 7-00 and 7-30 P.M. and the counting was continued with the help of two gas lanterns for sometime till the electricity came. In respect of this area also a large number of valid ballot papers, which should have been counted as valid votes of the petitioner, were rejected. The list is attached to this petition as Annexure 'J'. The list is not exhaustive for the reasons given in paragraph 18 of this petition.

36. That a large number of ballot papers of Respondent No. 1, which should have been rejected, were wrongly counted as valid votes in respect of this area of 346 Kishani of 70 Mainpuri Parliamentary Constituency also. A list of such ballot papers is attached to this petition as Annexure 'K'. The list is not exhaustive for the reasons given in paragraph 18 above.

37. That again a large number of the valid votes of the petitioner of this area of 70 Mainpuri Parliamentary Constituency were wrongly counted as valid votes of Respondent Nos. 1 to 7. The list is attached to this petition as Annexure 'L'. The list is not exhaustive for the reasons given in paragraph 18 above.

38. That the counting of the votes for 70 Mainpuri Parliamentary Constituency in respect of the area of 347 Karhal commenced on 28th February, 1962, in another camp at about 10 A.M. in the Antarim Zila Parishad Office, Collectorate Compound. The counting tables were as in respect of earlier ones i.e. 16 in number, but only four counting agents were allowed to be appointed. The counting continued till about 9-00 P.M. but there was usual failure of electricity at about 7-00 P.M. and 7-30 P.M. and the counting was continued with the help of two gas lanterns for sometime till the electricity came. In respect of this area also a large number of valid votes of the petitioner, were rejected. The list is attached to this petition as Annexure 'M'. The list is not exhaustive for the reasons given in paragraph 18 of this petition.

39. That a large number of ballot papers of Respondent No. 1 which should have been rejected, were wrongly counted as valid votes in respect of this area of 347 Karhal of 70 Mainpuri Parliamentary Constituency. A list of such ballot papers is attached to this petition as Annexure 'N'. The list is not exhaustive for the reasons given in paragraph 18 above.

40. That again a large number of valid votes of the petitioner in respect of this area of 70 Mainpuri Parliamentary constituency were wrongly counted as valid votes of Respondents No. 1 to 7. The list is attached to this petition as Annexure 'C'. The list is not exhaustive for the reasons given in paragraph 18 of this petition.

41. That apart from these irregularities a large number of valid ballot papers, which should have been counted as valid votes of the petitioner, have been missing from the whole area covering the 70 Mainpuri Parliamentary Constituency. They have been removed by the authorities concerned and other interested persons in violation of election law.

42. That due to these illegalities and irregularities the Respondent No. 1 has been declared wrongly as returned candidate while the fact is that the petitioner has secured majority of the valid votes and should have been declared as a successful candidate for the 70 Mainpuri Parliamentary Constituency. If the allegations of the petitioner are enquired and investigation into as required by law and proper scrutiny and counting of all the votes of 70 Mainpuri Parliamentary Constituency is done the petitioner is bound to be declared as properly elected candidate from the said constituency.

43. That the illegalities and irregularities as have been stated in the petition, were committed by the authorities concerned and other interested persons, which was also possible due to the shortage of the counting agents as well as due to the repeated failure of the electric light, which occurred on all the three dates, i.e., 26th, 27th and 28th February, 1962.

44. That besides these, a large number of persons belonging to polling stations 72 Mainpuri Chhapatti school and 90 Nagla Jula of 348 Mainpuri Parliamentary Constituency were not at all present on the day of polling, but the votes on their behalf have been wrongly given through impersonation.

45. That a large number of votes were cast for dead persons through impersonation in favour of the Respondent No. 1.

46. That the result of the election in so far as it concerns the returned candidate, has been materially affected by improper reception of votes, which were void in favour of Respondent No. 1 and other respondents as well as by rejection of the valid votes of the petitioner, which should have been counted as proper, as also by the non-compliance with the provisions of the Representation of People Act and the rules and orders made thereunder.

47. That in fact the petitioner has received a majority of valid votes but for these illegalities and in violation of rules the Respondent No. 1 could not have been shown to have obtained a majority of votes.

48. That the petitioner has deposited a sum of Rs. 2,000 in the Reserve Bank of India, Delhi in favour of the Election Commission as security for the costs of the petition. The receipt of the same is enclosed herewith.

49. That the election of Respondent No. 1, is void inasmuch as the result of the election in so far as it concerns the returned candidate, has been materially affected.

50. That the petitioner respectfully submits that for the grounds, *inter alia*, mentioned hereinafter he is entitled to a declaration that the election of Respondent No. 1 is void and that the petitioner has been duly elected to the House of People from 70 Mainpuri Parliamentary Constituency, State of Uttar Pradesh, and that costs of petition be awarded to the petitioner.

Grounds

A. Because there has been an improper reception of votes in favour of Respondent No. 1 and other respondents as also the reception of such votes by Respondents No. 1 were invalid and were liable to be rejected.

B. Because there has been improper rejection of the valid votes of the petitioner.

C. Because there has been reception of votes in favour of Respondent No. 1, which were void.

D. Because there has been non-compliance of the provisions of the Representation of Peoples Act and the conduct of election rules and orders made under the said Act.

E. Because a large number of valid ballot papers of the petitioner have been wrongly rejected whereas a large number of such ballot papers of Respondent No. 1, which should have been rejected, have been illegally counted as valid votes as also a large number of votes of the petitioner have been counted as votes for the respondents. There has also been a large number of cases in which the votes of the petitioner have not been counted at all or they are missing and have been removed by the authorities concerned and other interested persons.

F. Because a large number of votes have been given through impersonation on behalf of the persons who were not present and did not vote.

Prayer

51. (a) It is, therefore, respectfully prayed that the Tribunal may be pleased to declare the election of Respondent No. 1 as void.

(b) It is further prayed that the petitioner be declared as duly elected member of the Parliament from 70 Mainpuri Parliamentary Constituency.

(c) Cost of petition be awarded to the petitioner.

RAM NATH,
Petitioner.

Verification

I, Ram Nath, hereby verify that the contents of paragraphs 1 and 2 of this petition are true to my personal knowledge, and those of paragraphs 3 to 51 of this petition are believed by me to be true.

Verified at Delhi on this 17th day of March of the year One Thousand Nine Hundred and Sixty two.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of the petition.

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'A'

IN

ELECTION PETITION NO. 5 OF 1962

Ram Nath..... Petitioner

Versus

Shri Bad Shah Gupta and Others..... Respondents.

List of improperly rejected ballot papers of the petitioner in respect of 349 Ghirore included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling station	Name of polling station	No. of ballot papers wrongly rejected
1	2	3
1	Aurangabad	1
2	Usnida	2
3	Do.	1
4	Akbarpur Auncha	5
5	Do.	5
6	Do.	4
7	Do.	3
8	Nagla Har	4
9	Do.	5
10	Kuraoli Panchayat Ghar	3
11	Do.	4
12	Hada	2
13	Do.	1
14	Nagla Punu	3
15	Do.	1
16	Nagla Kanchan	1
17	Do.	1
18	Kanegi	2
19	Do.	1
20	Badshahpur	1
21	Do.	2
22	Shahjahanpur	4
23	Do.	2
24	Nahili	2
25	Do.	2
26	Ghirore	2
27	Do.	1
28	Do.	1
29	Mahatoli	1
30	Do.	1
31	Kalhore Panchan	1
32	Do.	2
33	Kosama Musalmin	3
34	Do.	2
35	Kosma Musalmin	1
36	Kosma Hindu	2
37	Do.	1
38	Do.	3
39	Rathera	3
40	Jawalpur	2
41	Do.	3

1	2	3
42	Gangsi	2
43	Do.	3
44	Kuchela	4
45	Do.	3
46	Akbarpur Kutakpur	2
47	Do.	1
48	Kinoli Gorwa	2
49	Do.	2
50	Banwara	5
51	Do.	3
52	Do.	3
53	Siyunda	1
54	Do.	1
55	Bajhera Buzurg	1
56	Do.	1
57	Korara Buzurg	1
58	Do.	1
59	Bada Gaon	2
60	Do.	3
61	Kusiari	2
62	Do.	1
63	Madhhai	2
64	Do.	1
65	Nasupur Sajanti	2
66	Asjawanbad Araon	1
67	Do.	1
68	Bharole Junior High School	3
69	Do.	1
70	Do.	2
71	Do.	1
72	Pindsara	2
73	Pitheypur	1
74	Do.	1
75	Kudhina	1
76	Pegu	1
77	Do.	1
78	Rahatpur	1
79	Mohammadpur Husainpur Bajua	1
80	Do.	1
81	Bhadesara	2
82	Rudhaini	1
83	Do.	1
84	Do.	1
85	Dhatari	1
86	Do.	1
87	Mallapur-Shahjahanpur	2
88	Sirsa Khas Girdhari Inter. College	1
89	Do.	1
90	Do.	1
91	Do.	2
92	Sirsa Khas Chhatri Inter. College	1
93	Do.	1
94	Nagla Khushali Hamlet of Karhara	1
95	Do.	2
96	Kisraon	1
97	Sothra	1
98	Do.	1
99	Sarakh	1
100	Sarai Murlidhar	1
101	Do.	1
102	Kari Khera	1
103	Do.	1

Total 189

Verification

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty-two.

Sd/- RAM NATH
Petitioner

I, Ram Nath, petitioner, certify that this is a true copy of Annexure 'A'.

Sd/- RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'B'

IN

ELECTION PETITION No. 5 OF 1962

Ram Nath..... *Petitioner*
Versus
Shri Bad Shah Gupta and Others..... *Respondents.*

List of ballot papers wrongly counted in favour of Respondent No. 1 which should have been rejected, in respect of 349 Ghire included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling station	Name of polling station	No. of ballot papers wrongly counted
1	2	3
1	Aurangabad	2
2	Usnida	3
3	Do.	4
4	Akbarpur Aunchha	3
5	Do.	3
6	Do.	4
7	Do.	8
8	Nagla Har	5
9	Do.	4
10	Karaoli Panchayat Ghar	7
11	Do.	3
12	Hadai	4
13	Do.	3
14	Nagla Punu	2
15	Do.	1
16	Nagla Kanchan	2
17	Do.	1
18	Kanegi	1
19	Do.	3
20	Badshahpur	1
21	Do.	3
22	Shahjahanpur	2
23	Do.	1
24	Nahili	2
25	Do.	1
26	Ghire	3
27	Do.	2
28	Do.	1
29	Mahatoli	2
30	Do.	1

I	2	3
31	Kalhore Pachhan	2
32	Do.	1
33	Kosama Musalmin	2
34	Do.	1
35	Kosma Musalmin	2
36	Kosma Hinud (Kosma Hinud)	3
37	Do.	2
38	Do.	2
39	Rathera	2
40	Jawalpur	3
41	Do.	1
42	Gangsi	3
43	Do.	5
44	Kuchela	5
45	Do.	7
46	Akbarpur Kutakpur	3
47	Do.	3
48	Kinoli Gorwa	1
49	Do.	3
50	Banwara	3
51	Do.	2
52	Do.	1
53	Siyunda	2
54	Do.	1
55	Bajhera Buzurg	3
56	Do.	1
57	Korara Buzurg	1
58	Do.	1
59	Bada Gaon	2
60	Do.	3
61	Kusiari	3
62	Do.	4
63	Madhai	3
64	Do.	2
65	Nasurpur Sajanti	1
66	Aajwanoad Araon	1
67	Do.	1
68	Bharole Junior High School	2
69	Do.	1
70	Do.	1
71	Do.	3
72	Pindsara	1
73	Pitheypur	3
74	Do.	1
75	Kundhhina	1
76	Pegu	1
77	Do.	2
78	Rahatpur	2
79	Mohammadour Husainpur Bajua	3
80	Do.	1
81	Bhadesara	3
82	Rudhani Rudhaini	1
83	Do.	2
84	Do.	4
85	Dhatari	2
86	Do.	2
87	Mallapur-Shahajahanpur	3
88	Sirsa Khas Girdhari Inter. College	5
89	Do.	7
90	Do.	3
91	Do.	5
92	Sirsa Khas Chhattri Inter College	10
93	Do.	5
94	Nagla Khushali Hamlet of Karhara	1
95	Do.	3
96	Kisraon	2

1	2	3
97	Sothra	1
98	Do.	1
99	Sarakh	2
100	Sarai Murlidhar	1
101	Do.	2
102	Kari Khera	1
103	Do.	1
TOTAL		257

Verification

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine hundred and Sixty-two.

Sd/- RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of Annexure 'B'.

Sd/- RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'C'

IN

ELECTION PETITION NO. 5 OF 1962

Ram Nath.....Petitioner

Versus

Shri Bad Shah Gupta and others.....Respondents

List of valid ballot papers of the petitioner wrongly counted as votes of respondents No. 1 to 7 in respect of 349 Ghirore included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling Stations	Name of polling Station.	No. of va- lid ballot papers of petitioner wrongly counted in favour of respondent Nos. 1 to 7.
1	2	3
1	Aurangabad	3
2	Usnida	1
3	Do.	5
4	Akbarpur Aunchha	8
5	Do.	10
6	Do.	8
7	Do.	9
8	Nagla Har	8
9	Do.	3
10	Kuraoli Panchayat Ghar	4
11	Do.	5
12	Hadai	7

I	2	3
13	Hadai	8
14	Nagala Punu	1
15	Do.	1
16	Nagla Kanchan	1
17	Do.	2
18	Kanegi	3
19	Do.	1
20	Badshahpur	1
21	Do.	1
22	Shahjahanpur	1
23	Do.	1
24	Nahili	3
25	Do.	4
26	Ghirore	1
27	Do.	1
28	Do.	1
29	Mahatoli	1
30	Do.	1
31	Kalhore Pachhan	1
32	Do.	3
33	Kosama Musalmin	1
34	Do.	1
35	Kosma Musalmin	3
36	Kosma Hinud	1
37	Do.	3
38	Do.	1
39	Rathera	1
40	Jawapur	4
41	Do.	4
42	Gangsi	1
43	Do.	1
44	Kuchela	3
45	Do.	10
46	Akbarpur Kutakpur	1
47	Do.	2
48	Dinoli Gorwa	3
49	Do.	5
50	Banwara	10
51	Do.	4
52	Do.	4
53	Siyunda	4
54	Do.	4
55	Bajhera Buzurg	2
56	Do.	1
57	Korara Buxmr	1
58	Do.	1
59	Bada Gaon	3
60	Do.	10
61	Kusiari	2
62	Do.	2
63	Madhhai	2
64	Do.	1
65	Nasurpur Sajanti	1
66	Asjwanbad Araon	1
67	Do.	1
68	Bharole Junior High School	1
69	Do.	1
70	Do.	1
71	Do.	1
72	Pindsara	1
73	Pitheypur	2
74	Do.	3
75	Kudhhine	1
76	Pegu	1
77	Do.	1
78	Rahatpur	1

1	2	3
79	Mohammadpur Hussainpur Bajua	1
80	Do.	1
81	Bhadesara	4
82	Rudhaini	1
83	Do.	2
84	Do.	1
85	Dhatari	1
86	Do.	1
87	Mallapur-Shahajahanpur	1
88	Sirsa Khas Girdhari Inter College	3
89	Sirsa Khas Girdhari Inter College	2
90	Do.	1
91	Do.	1
92	Sirsa Khas Chhattri Inter College	1
93	Do.	1
94	Nagla Khushali Hamlet of Karhara	1
95	Do.	1
96	Kisraon	1
97	Sothra	1
98	Do.	1
99	Sarakh	1
100	Sarai Murlidhar	1
101	Do.	1
102	Kari Khera	1
103	Kari Khera	1
TOTAL.		252

Verification

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of march of the year One Thousand Nine Hundred and Sixty two.

RAM NATH,
Petitioner

I, Ram Nath, petitioner, certify that this is a true copy of annexure 'C'

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'D'

IN

ELECTION PETITION NO. 5 OF 1962

Ram Nath—Petitioner

versus

Shri Bad Shah Gupta and others—Respondents.

List of improperly rejected ballot papers of the petitioner in respect of 348 Mainpuri included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling Station	Name of Polling Station	No. of ballot papers wrongly rejected
1	2	3
1	Sharifpur	2
2	Do.	3
3	Hatau Mubarikpur	2

1	2	3
4	Lokhora	3
5	Do.	4
6	Sarai Latif	3
7	Do.	5
8	Midhhavali Kalan	3
9	Do.	2
10	Isai Majhhapti	5
11	Do.	1
12	Isai Mahaloi	2
13	Do.	2
14	Basura Sultanpur	3
15	Do.	4
16	Kuraoli Government Normal School	3
17	Do.	2
18	Do.	2
19	Do.	2
20	Kuraoli Junior High School	2
21	Do.	2
22	Kuraoli Girls Junior High School	2
23	Do.	1
24	Do.	2
25	Naurangpur	2
26	Do.	2
27	Do.	1
28	Salempur	2
29	Do.	3
30	Nana Mau	2
31	Do.	3
32	Sonai	3
33	Do.	4
34	Manona	5
35	Do.	2
36	Jeonti	2
37	Do.	1
38	Thorwa	1
39	Paronkh	2
40	Do.	2
41	Do.	2
42	Ujhnaiya Faqirpur Primary School	2
43	Do.	2
44	Do.	3
45	Madhan	2
46	Do.	1
47	Naunair	3
48	Do.	3
49	Do.	1
50	Tindoli	5
51	Do.	3
52	Devamai	3
53	Do.	2
54	Odann Mandan	2
55	Jasrau	2
56	Do.	2
57	Nogaon	3
58	Do.	2
59	Karim Ganj	3
60	Do.	4
61	Narainpur	2
62	Anjani	3
63	Do.	4
64	Mainpuri Government Inter College	3
65	Do.	5
66	Do.	3
67	Do.	2
68	Mainpuri Ganj Free School	2
69	Do.	1
70	Do.	2

I	2	3
71	Mainpuri Gunj Free School	3
72	Mainpuri Chhapatti Inter College	2
73	Do.	3
74	Mainpuri Christian Inter College	1
75	Do.	2
76	Do.	1
77	Do.	2
78	Mainpuri Government Normal School	2
79	Do.	2
80	Do.	1
81	Do.	2
82	Mainpuri D.A.V. Inter College	1
83	Do.	2
84	Mainpuri Pradarshani Hall	5
85	Mainpuri Gola Bazar Free School	4
86	Do.	3
87	Mainpuri District Board Dak Bunglow	2
88	Do.	2
89	Do.	2
90	Magla Jula Hamlet of Odann Padaria	4
91	Do.	3
92	Do.	4
93	Lakpur Sathain D.B. School	5
94	Do.	3
95	Chitoli	2
96	Ratibhanpur	3
97	Angotha	2
98	Do.	2
99	Daulatpur	3
100	Do.	2
101	Dharmangadpur	2
TOTAL		253

Verification.

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty two.

RAM NATH,
Petitioner.

I, Ram Nath, Petitioner, certify that this is a true copy of annexure 'D'

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'E'

IN

ELECTION PETITION No. 5 OF 1962

Ram Nath—*Petitioner**versus*Shri Bad Shah Gupta and others—*Respondents*

List of ballot papers wrongly counted in favour of Respondent No. 1 which should have been rejected in respect of 348 Mainpuri included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling Station	Name of Polling Station	No. of ballot papers wrongly counted
1	Sharifpur	2
2	Do.	4
3	Hatau Mubarikpur	2

1	2	3
4	Lakhora	5
5	Do.	4
6	Sarai Latif	4
7	Do.	3
8	Midhawali Kalan	2
9	Do.	2
10	Isai Majhapapti	3
11	Do.	1
12	Isai Mahaloi	1
13	Do.	1
14	Basura Sultanpur	2
15	Do.	1
16	Kuraoli Governmnt Normal School	2
17	Do.	3
18	Do.	5
19	Do.	3
20	Kuraoli Junior High School	15
21	Do.	5
22	Kuraoli Girls Junior High School	4
23	Do.	5
24	Do.	2
25	Naurangpur	4
26	Do.	3
27	Do.	1
28	Salempur	5
29	Do.	2
30	Nana Mau	2
31	Manamau	2
32	Sonai	5
33	Do.	4
34	Manona	2
35	Do.	10
36	Joontl	5
37	Do.	10
38	Thorwa	2
39	Paronkh	3
40	Do.	3
41	Do.	3
42	Ujhhaiya Fariqpur Primary School	5
43	Madhan	4
44	Do.	2
45	Do.	3
46	Do.	5
47	Maunair	5
48	Do.	3
49	Do.	5
50	Tindoli	5
51	Do.	2
52	Devamai	5
53	Do.	10
54	Odann Mandan	2
55	Jasrau	3
56	Do.	3
57	Nogaon	5
58	Do.	3
59	Karim Ganj	5
60	Do.	2
61	Narainpur	5
62	Anjani	5
63	Do.	5
64	Mainpuri Government Inter College	3
65	Do.	5
66	Do.	5
67	Do.	4
68	Mainpuri Ganj Free School	10
69	Do.	15
70	Do.	25
71	Do.	15

1	2	3
72	Mainpuri Chhapatti Free School	25
73	Do.	20
74	Mainpuri Christian Inter College	15
75	Do.	20
76	Do.	15
77	Do.	5
78	Mainpuri Government Normal School	10
79	Do.	15
80	Do.	8
81	Do.	10
82	Mainpuri D.A.V. Inter College	5
83	Do.	8
84	Mainpuri Pradarshani Hall	4
85	Mainpuri Gola Bazar Free School	8
86	Do.	10
87	Mainpuri District Board Dak Bungalow	3
88	Do.	5
89	Do.	5
90	Magla Jula Hamlet of Odann Padaria	5
91	Do.	5
92	Do.	5
93	Lalpur Sathain D.B. School	3
94	Do.	2
95	Chitoli	3
96	Ratibhanpur	4
97	Angotha	5
98	Do.	4
99	Daulatpur	5
100	Do.	3
101	Dharmangadpur	5
TOTAL		561

Verification.

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty two.

RAM NATH,
Petitioner.

I, Ram Nath, Petitioner, certify that this is a true copy of annexure ('B').

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA**ANNEXURE 'F'****IN****ELECTION PETITION No. 5 OF 1962**

Ram Nath *Petitioner*

Versus

Shri Badshah Gupta and others *Respondents.*

List of valid ballot papers of the petitioner wrongly counted as votes of respondents Nos. 1 to 7 in respect of 348 Mainpuri included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling stations	Name of polling Station	No. of valid ballot papers of the petitioner wrongly counted in favour of respondent Nos. 1 to 7
1	Sharifpur	1
2	Do.	2
3	Hatu Mubarikpur	1

1	2	3
4	Lakhora	3
5	Do.	2
6	Sarai Latiff	2
7	Do.	3
8	Madhavali Kalan	4
9	Do.	1
10	Isai Mujhapati	4
11	Do.	5
12	Isai Mahaloi	3
13	Do.	4
14	Basura Sultanpur	2
15	Do.	2
16	Kuraoli Government Normal School	1
17	Do.	1
18	Do.	2
19	Do.	1
20	Kuraoli Junior High School	2
21	Do.	1
22	Kuraoli Girls Junior High School	3
23	Do.	4
24	Do.	3
25	Naurangpur	3
26	Do.	2
27	Do.	1
28	Salenpur	3
29	Do.	2
30	Nana Mau	3
31	Nanamau	2
32	Sonai	1
33	Do.	3
34	Manona	5
35	Do.	2
36	Joonti	2
37	Do.	2
38	Thorwa	2
39	Paronkh	2
40	Do.	3
41	Do.	2
42	Ujhhaiya Faridpur Primary School	3
43	Do.	2
44	Do.	4
45	Madhan	10
46	Do.	5
47	Maunsair	5
48	Do.	5
49	Do.	5
50	Tindoli	2
51	Do.	3
52	Devamai	2
53	Do.	2
54	Odann Mandan	2
55	Jasrau	5
56	Do.	5
57	Nogaon	3
58	Do.	2
59	Karim Ganj	2
60	Do.	5
61	Narainpur	5
62	Anjani	5
63	Do.	5
64	Mainpuri Government Inter College	5
65	Do.	5
66	Do.	4
67	Do.	5
68	Mainpuri Ganj Free School	8
69	Do.	10
70	Do.	10
71	Do.	10

1	2	3
72	Mainpuri Chhapatti	15
73	Do.	10
74	Mainpuri Christian Inter college	10
75	Do.	15
76	Do.	8
77	Do.	5
78	Mainpuri Government Normal School	12
79	Do.	8
80	Do.	5
81	Do.	5
82	Mainpuri D.A.V. Inter college	4
83	Mainpuri D.A.V. Inter College	5
84	Mainpuri Pradarshani Hall	10
85	Mainpuri Gola Bazar Free School	8
86	Mainpuri Gola Bazar Free School	12
87	Mainpuri District Board Dak Bungalow	10
88	Do.	12
89	Do.	10
90	Nagla Jula Hamlet of Odenn Padaria	8
91	Do.	10
92	Do.	8
93	Lalpur Sathain D.B. School	10
94	Do.	8
95	Shitoli	5
96	Ratibhanpur	5
97	Angotha	15
98	Do.	8
99	Daulatpur	8
100	Do.	5
101	Dharamangadpur	10
TOTAL		505

Verification :

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty two.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of annexure 'F'.

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE G

IN

ELECTION PETITION No. 5 OF 1962.

Ram Nath.....Petitioner

Versus

Shri Badashah Gupta and others.....Respondents.

List of Improperly rejected ballot papers of the petitioner in respect of 345 Bhogaon included in 70 Mainpuri Parliamentary Constituency:

Serial No. of polling station.	Name of polling station	No. of ballot papers wrongly rejected
1	Dev Ganj	1
2	Do.	1
3	Do.	2

1	2	3
4	Lahra	1
5	Mannu Kheda	1
6	Do.	1
7	Simarai	1
8	Do.	1
9	Jaramai	1
10	Do.	1
11	Bichhwan	1
12	Do.	1
13	Sultanganj	1
14	Do.	1
15	Kinahawar	1
16	Do.	1
17	Sahara	1
18	Do.	1
19	Do.	1
20	Orandha	1
21	Do.	2
22	Do.	1
23	Bilon	1
24	Do.	1
25	Ahirawa	2
26	Do.	2
27	Lalupura	1
28	Do.	1
29	Pusona	1
30	Merapur Sujapur	1
31	Do.	1
32	Shivai Madora	1
33	Rui-Sinora	2
34	Do.	1
35	Govindpur	1
36	Partapur	1
37	Do.	1
38	Bhogaon J.H. School	1
39	Do.	1
40	Bhogaon N.I. College	2
41	Do.	3
42	Do.	1
43	Do.	1
44	Himayupur J.H. School	1
45	Do.	1
46	Baroli	1
47	Do.	1
48	Rakera	1
49	Aram Sarai	1
50	Do.	1
51	Do.	1
52	Banakia	1
53	Do.	1
54	Kauatanda	1
55	Gangarwala	1
56	Do.	1
57	Chutara Masumpur	1
58	Jagatpur	1
59	Do.	1
60	Ali Khoda	1
61	Ali Khoda Higher Secondary School	1
62	Ali Khoda	1
63	Alipurpatti	2
64	Do.	1
65	Do.	1
66	Chhachha J.H. School	1
67	Do.	1
68	Chhachha Primary School	1
69	Rojawana	1
70	Do.	2

1	2	3
71	Nagla Bharat Hamlet of Jasrathpur	1
72	Do.	2
73	Madapur Dharam	1
74	Do.	1
75	Kushalpur	1
76	Do.	1
77	Do.	1
78	Nagla Painth	1
79	Do.	1
80	Bewar J.H. school	1
81	Do.	1
82	Do.	2
83	Bewar A.S.I. College	1
84	Do.	1
85	Do.	1
86	Do.	1
87	Bajhera Hamlet of Khajuria	4
88	Do.	3
89	Chilonsa	5
90	Paronkha	1
91	Do.	1
92	Do.	3
93	Puraiya	1
94	Akbarpur Biku	1
95	Husainpur	2
96	Do.	2
TOTAL		118

Verification.

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty, 1962.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of annexure. 'G'

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'H'

IN

ELECTION PETITION NO. 5 OF 1962

Ram Nath.....Petitioner

versus

Shri Badashah Gupta and others..... Respondents.

List of ballot papers wrongly counted in favour of Respondent No. 1 which should have been rejected, in respect of 345 Bhogaon included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling station.	Name of polling station	No. of ballot papers wrongly counted.
1	Dev Ganj	1
2	Do.	2
3	Do.	1

1	2	3
4	Lahra	1
5	Hannu Kheda	2
6	Do.	1
7	Simarai	1
8	Do.	2
9	Jaramai	2
10	Do.	3
11	Bichhwan	2
12	Do.	1
13	Sultan Ganj	2
14	Do.	1
15	Kinahawar	2
16	Do.	3
17	Sahara	2
18	Do.	1
19	Do.	2
20	Orandha	3
21	Do.	1
22	Do.	2
23	Bilon	3
24	Do.	1
25	Ahirwa	1
26	Do.	1
27	Lalupura	2
28	Do.	1
29	Pusena	1
30	Morapur-Sujapur	2
31	Do.	2
32	Shivai Madora	1
33	Rui-Sinora	3
34	Do.	2
35	Govindpur	1
36	Partapur	2
37	Do.	3
38	Bhogaon J.H. School	3
39	Do.	1
40	Bhogaon N.I. College	4
41	Do.	4
42	Do.	5
43	Do.	4
44	Himayupur J.H. School	1
45	Do.	2
46	Biroli	3
47	Do.	2
48	Rakara	1
49	Aram Sarai	3
50	Do.	3
51	Do.	4
52	Banakia	3
53	Do.	4
54	Kauatanda	1
55	Gangarwala	3
56	Do.	2
57	Chutara Masumpur	2
58	Jagatpur	3
59	Do.	4
60	Ali Kheda	1
61	Ali Kheda Higher Secondary School Ali Kheda	2
62	Ali Kheda	1
63	Alipurpatti	1
64	Do.	3
65	Do.	1
66	Chhachha J. H. School	3
67	Do.	3
68	Chhachha Primary school	4
69	Rajawana	2
70	Do.	3

1	2	3
71	Nagla Bharat Hamlet of Jasrathpur	2
72	Do.	2
73	Madanpur Dharam	3
74	Do.	4
75	Kushalpur	3
76	Manpur Harl	4
77	Do.	3
78	Nagla Painth	4
79	Do.	3
80	Bewar J.H. school	4
81	Do.	3
82	Do.	1
83	Bewar A.S.I. College	3
84	Do.	4
85	Do.	5
86	Do.	3
87	Bajhera Hamlet of Khajuria	3
88	Do.	4
89	Chilonsa	5
90	Paronkha	3
91	Do.	4
92	Do.	1
93	Puraiy.	3
94	Akbarpur Biku	4
95	Husainpur	4
96	Do.	5
TOTAL		236

Verification.

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified this at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty-two.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of annexure 'H' ('H').

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA
ANNEXURE 'I'

IN

ELECTION PETITION NO. 5 OF 1962.

Ram Nath—Petitioner.

Versus

Shri Badshah Gupta and others—Respondents.

List of valid ballot papers of the petitioner wrongly counted as votes of Respondents Nos. 1 to 7 respect of 345 Bhogaon included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling station	Name of polling station	No. of valid ballot papers of petitioner wrongly counted in favour of respondents Nos. 1 to 7
1	Dev Ganj	1
2	Do.	1

1	2	3
3	Dev Ganj	3
4	Lahra	1
5	Hannu Kheda	1
6	Do.	1
7	Simarai	2
8	Do.	1
9	Jaramai	1
10	Do.	1
11	Bichhwan	1
12	Do.	1
13	Sultanganj	1
14	Do.	1
15	Kinahawar	1
16	Do.	1
17	Sahara	1
18	Do.	1
19	Do.	1
20	Orandha	1
21	Do.	1
22	Do.	3
23	Bilon	1
24	Do.	1
25	Ahirawa	1
26	Do.	1
27	Lalpur	1
28	Do.	1
29	Pusena	1
30	Merapur Sujampur	1
31	Do.	1
32	Shivai Madora	2
33	Rui-Sinora	1
34	Do.	1
35	Govindpur	1
36	Partapur	1
37	Do.	1
38	Bhogaon J.H. School	1
39	Do.	1
40	Bhogaon N. I. College	1
41	Do.	1
42	Do.	1
43	Do.	1
44	Himayupur J.H. School	1
45	Do.	1
46	Biroli	1
47	Do.	1
48	Rakara	1
49	Aram Sarai	1
50	Do.	1
51	Do.	1
52	Banakia	2
53	Do.	1
54	Kauatanda	1
55	Gangarwala	1
56	Do.	1
57	Chutara Masumpur	1
58	Jagatpur	1
59	Do.	1
60	Ali Kheda	1
61	Ali Kheda Higher Secondary School	1
62	Ali Kheda	1
63	Alipurpatti	1
64	Do.	1
65	Do.	1
66	Chhachha J.H. School	1
67	Do.	2
68	Chhachha Primary School	1
69	Rajawana	1
70	Do.	1

1	2	3
71	Nagla Bharat Hamlet of Hsaratoyr	1
72	Do.	1
73	Madapur Dharam	1
74	Do.	1
75	Kushalpur	1
76	Manpur Hari	1
77	Do.	1
78	Nagla Painth	1
79	Do.	1
80	Bewar J.H. school	1
81	Do.	1
82	Do.	1
83	Bewar A.S.I. College	1
84	Do.	1
85	Do.	1
86	Do.	1
87	Bajhera Hamlet of Khajuria	1
88	Do.	1
89	Chilonsa	1
90	Paronkha	1
91	Do.	1
92	Do.	1
93	Puraiya	1
94	Akbarpur Biku	1
95	Hussainpur	1
96	Do.	1
TOTAL		104

Verification.

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty two.

RAM NATH
Petitioner,

I, Ram Nath, petitioner, certify that this is a true copy of annexure 'I'.

RAM NATH
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'J'

IN

ELECTION PETITION No. 5 OF 1962

Ram Nath, Petitioner,

Versus

Shri Bad Shah Gupta and others, Respondent.

List of improperly rejected ballot papers of the petitioner in respect of 346 Kishani included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling station	Name of polling station	No. of ballot papers wrongly rejected
1	Manchhana Panchayat Ghar	2
2	Do.	1
3	Manchhane Asthai Bhawan	4

1	2	3
4	Ajit ganj Primary school	3
5	Do.	1
6	Ajit Ganj J. H. School	2
7	Bhanwat Primary School	3
8	Do.	5
9	Parigawan Panchayat Ghar	4
10	Parigawan	6
11	Chandarpur	8
12	Do.	6(6)
13	Sugaon	5
14	Do.	4
15	Hatpau (Tarapur)	3
16	Do.	2
17	Allau Primary School	2
18	Do.	2
19	Ratnpur Bara	4
20	Maujepur	6
21	Do.	5
22	Aghar	3
23	Do.	6
24	Do.	2
25	Aungh	2
26	Do.	2
27	Do.	2
28	Do.	2
29	Allahabad	2
30	Do.	5
31	Do.	4
32	Pundari	5
33	Do.	4
34	Birpur Kalan	5
35	Chitayan	3
36	Do.	2
37	Murhausi	2
38	Do.	3
39	Sakka (Sakra)	5
40	Do.	4
41	Nunari	2
42	Dhandaus	1
43	Do.	4
44	Sonasi	6
45	Budholli	5
46	Kusma	2
47	Do.	4
48	Kusmara	5
49	Kara (Bara)	5
50	Garhia Chhankara	4
51	Do.	6
52	Madhakarpur	5
53	Jasmal	2
54	Do.	3
55	Hirsuli	2
56	Todarpur	5
57	Do.	5
58	Tillani	5
59	Do.	4
60	Do.	2
61	Nabiganj	3
62	Do.	2
63	Do.	2
64	Jot	2
65	Do.	1
66	Do.	2(2)
67	Hindupur	4
68	Do.	2
69	Do.	2
70	Kaitholi	5

1	2	3
71	Kaitholi	2
72	Do.	2
73	Uncha Salamabad	5
74	Bhadei	2
75	Ran Nagar	2
76	Do.	1
77	Do.	2
78	Tariha	2
79	Do.	2
80	Rathch	4
81	Do.	2
82	Kumhaul	4
83	Do.	2
84	Mahauli Shamsheerganj	4
85	Do.	3
86	Kishni	2
87	Do.	2
88	Arsara	2
89	Do.	2
90	Nalgawan Khirla	2
91	Basait	2
92	Do.	1
93	Laigaon	5
94	Do.	4
TOTAL		304

Verification.

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified this at Delhi this 17th day of March of the year One Thousand Nine Hundred and sixty two.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of annexure 'J'.

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'K'

IN

ELECTION PETITION NO. 5 OF 1962

Ram Nath..... Petitioner

Versus

Shri Bad Shah Gupta and others..... Respondents

List of ballot papers wrongly counted in favour of Respondent No. 1 which should have been rejected, in respect of 346 Kishni included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling station	Name of polling station	No. of ballot papers wrongly counted
1	Manchhana Panchayat Ghar	5
2	Do.	3
3	Manchhana Asthal Bhawan	5

1	2	3
4	Ajit Ganj Primary School	7
5	Do.	3
6	Ajit Ganj J. H. School	6
7	Bhanwat Primary School	5
8	Do.	7
9	Parigawan Panchayat Ghar	4
10	Parigawan	5
11	Chandarpur	6
12	Do.	4
13	Sugaon	3
14	Do.	3
15	Hatpau (Tarapur)	5
16	Do.	4
17	Ailau Primary School	3
18	Do.	3
19	Ratanpur Bara	6
20	Maujcpur	5
21	Do.	3
22	Aghar	4
23	Do.	3
24	Do.	1
25	Aungh	1
26	Do.	2
27	Do.	3
28	Do.	3
29	Allahabad	7
30	Do.	4
31	Do.	3
32	Pundari	4
33	Do.	2
34	Birpur Kalan	3
35	Chitayan	2
36	Do.	4
37	Murhausi	3
38	Do.	5
39	Sakra	2
40	Do.	5
41	Nunari	3
42	Dhandaus	3
43	Do.	4
44	Sonasi	5
45	Budholli	2
46	Kusmara	10
47	Do.	5
48	Do.	2
49	Bara	2
50	Garhia Chhankara	2
51	Do.	2
52	Madhakarpur	5
53	Jasmai	3
54	Do.	2
55	Hirauli	3
56	Todapur	4
57	Do.	3
58	Tillani	4
59	Do.	3
60	Do.	7
61	Nabiganj	8
62	Do.	6
63	Do.	3
64	Jot	5
65	Do.	7
66	Do.	4
67	Hindupur	8
68	Do.	6
69	Do.	4
70	Kaitholi	4
71	Do.	5

1	2	3
72	Kaitholi	5
73	Uncha Salamabad	4
74	Bhadei	5
75	Ran Nagar	8
76	Do.	3
77	Do.	5
78	Tariha	7
79	Do.	5
80	Ratheh	6
81	Do.	5
82	Kumhaul	6
83	Do.	6
84	Mahauli Shamsheganj	8
85	Do.	5
86	Kishni	10
87	Do.	8
88	Arsara	7
89	Do.	5
90	Nalgawan Khiria	4
91	Basait	5
92	Do.	4
93	Laigaon	15
94	Do.	8
TOTAL		445

Verification.

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and sixty-two.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of annexure 'K'.

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'L'

ELECTION PETITION No. 5 OF 1962

Ram Nath,Petitioner

Versus

Shri Bad Shah Gupta and others Respondents

List of valid ballot papers of the petitioner wrongly counted as votes of respondents Nos. 1 to 7 in respect of 346 Kishni included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling station	Name of polling station	No. of valid ballot papers wrongly counted in favour of respon- dents No. 1 to 7
1	Manchhana Panchayat Ghar	10
2	Do.	4
3	Manchhana Asthai Bhawan	5

1	2	3
4	Ajit Ganj Primary School	4
5	Do.	4
6	Ajit Ganj J. H. School	5
7	Bhanwat Primary School	8
8	Do.	6
9	Parigawan Panchayat Ghar	8
10	Parigawan	6
11	Chandarpur	7
12	Do.	8
13	Sugaon	3
14	Do.	8
15	Harpau (Tarpur)	7
16	Do.	3
17	Ailau Primary School	6
18	Do.	2
19	Ratanpur Bara	5
20	Maujapur	8
21	Do.	3
22	Aghar	9
23	Do.	7
24	Do.	2
25	Aungh	2
26	Do.	1
27	Do.	4
28	Do.	4
29	Allahabad	3
30	Do.	3
31	Do.	2
32	Pundari	3
33	Do.	3
34	Birpur Kalan	1
35	Chitayan	2
36	Do.	1
37	Murhausi	3
38	Do.	2
39	Sakra	4
40	Do.	2
41	Munari	1
42	Dhandaus	4
43	Do.	6
44	Sonasi	3
45	Budholi	6
46	Kusmara	7
47	Do.	3
48	Kusmara	2
49	Bara	2
50	Garhia Chhankara	2
51	Do.	2
52	Madhakarpur	4
53	Jasmal	2
54	Do.	4
55	Hirauli	5
56	Todarpur	2
57	Do.	3
58	Tilani	3
59	Do.	2
60	Do.	5
61	Nabi Ganj	4
62	Do.	3
63	Do.	5
64	Jot	2
65	Do.	2
66	Do.	2
67	Hindupur	2
68	Do.	2
69	Do.	2
70	Kaltholi	5

1	2	3
71	Kaitholi	2
72	Do.	1
73	Uncha Salambad	6
74	Bhadei	2
75	Ram Nagar	4
76	Do.	2
77	Do.	3
78	Tariha	2
79	Do.	4
80	Rathch	5
81	Do.	2
82	Kumhaul	2
83	Do.	4
84	Maholi Shamsherganj	6
85	Do.	4
86	Kishni	5
87	Do.	7
88	Arsara	8
89	Do.	6
90	Naigawan Khirja	2
91	Basait	8
92	Do.	2
93	Laigaon	12
94	Do.	10
TOTAL		384

Verification

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and sixty two.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of annexure 'L'

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'M'

IN

ELECTION PETITION No. 5 OF 1962.

Ram Nath *Petitioner.*

Versus

Shri Bad Shah Gupta and others *Respondents.*

List of improperly rejected ballot papers of the petitioner in respect of 347 Karhal included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling station	Name of polling Station	No. of ballot papers wrongly rejected
1	2	3
1	Balpura	4
2	"	3
3	Hazipur nera	2
4	Dalupur	5

1	2	3
5	Dalupur	2
6	Abdulnabipur	5
7	Chandikara	3
8	Do.	2
9	Phoolpur	3
10	Ekhara	4
11	Sothara	6
12	Do.	7
13	Banigaonva	2
14	Do.	1
15	Deoli	3
16	Do.	4
17	Do.	3
18	Mithepur	2
19	Do.	1
20	Kumheri	2
21	Chandpura	3
22	Do.	4
23	Bhidora	3
24	Amamai	5
25	Nagla Gharla hamlet of Ahladpur	5
26	Do.	5
27	Nagla bara hamlet of Atikullapur	5
28	Nagla "	2
29	Peran Shahpur	5
30	Do.	3
31	Lakhan Mau	2
32	Do.	4
33	Barnahal J.H. School	5
34	Do.	2
35	Barnahal Primary School	2
36	Do.	2
37	Bamtapur	2
38	Do.	1
39	Saj Hazipur	2
40	Do.	3
41	Urban J. H. school	2
42	Do.	2
43	Andani	3
44	Do.	1
45	Kamalpur	2
46	Do.	3
47	Karhel Lemanchu Jain Inter college	1
48	Do.	1
49	Kerhel	1
50	Karhel	1
51	Karhel J. H. school	1
52	Do.	1
53	Atirajpur	5
54	Do.	6
55	Mahabatpur	1
56	Do.	1
57	Padra	1
58	Do.	1
59	Krithua	2
60	Do.	2
61	Pakrau	1
62	Do.	1
63	Nimaawli	4
64	Do.	3
65	Sahan	2
66	Do.	3
67	Bhawanipur	1
68	Patara J. H. School	1
69	Do.	1
70	Patara Primary school	1
71	Onha	1
72	Do.	2

1	2	3
73	Sadhh	2
74	Do.	2
75	Rampur hamlet of Khurra Zarawan	1
76	Do.	1
77	Do.	1
78	Udaipur hamlet of Timrakh	2
79	Do.	2
80	Souj	3
81	Do.	2
82	Saman J. H. school	5
83	Do.	3
84	Saman Canal Inspection House	2
85	Do.	1
86	Faranji	1
87	Do.	2
88	Jatpura	1
TOTAL		220

Verification

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty two.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of annexure 'M'.

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'N'

IN

ELECTION PETITION No. 5 OF 1962.

Ram Nath Petitioner.

Versus

Shri Bad Shah Gupta and others Respondents.

List of ballot papers wrongly counted in favour of Respondent No. 1 which should have been rejected, in respect of 347 Karhal included in 70 Malpuri Parliamentary Constituency.

Serial No. of polling station	Name of polling station	No. of ballot papers wrongly counted
1	2	3
1	Balpura	6
2	"	5
3	Hazipur nera	4
4	Dalupur	3
5	Do.	4
6	Abdulnabipur	3
7	Chandikara	6

1	2	3
8	Chandl kara	5
9	Phoolpur	6
10	Ekhara	5
11	Sothara	4
12	Do.	2
13	Baniganwa	4
14	Do.	3
15	Deoli	4
16	Do.	3
17	Do.	3
18	Mithepur	4
19	Do.	2
20	Kumheri	3
21	Chandpura	4
22	Do.	5
23	Dhldora	6
24	Amanmal	2
25	Nagla Gharla hamlet of Ahladpur	1
26	Do.	1
27	Nagla bara hamlet of Atikullapur	2
28	Do.	5
29	Pahrar Shahpur	6
30	Do.	5
31	Lakhan Mau	4
32	Do.	3
33	Barnahal J.H. School	4
34	Do.	3
35	Barnahal Primary School	3
36	Do.	2
37	Barnapur	3
38	Do.	2
39	Saj Hazipur	1
40	Do.	1
41	Urthan J. H. School	1
42	Do.	1
43	Andani	1
44	Do.	2
45	Kamalpur	2
46	Do.	1
47	Karhel Lemanchu Jain Inter college	5
48	Do.	6
49	Do.	5
50	Karhel	6
51	Karhel J. H. School	5
52	Do.	6
53	Atirajpur	1
54	Do.	1
55	Mahabatpur	4
56	Do.	5
57	Padra	2
58	Do.	2
59	Kirthua	3
60	Do.	4
61	Takhtua	3
62	Do.	2
63	Nimaoli	1
64	Do.	1
65	Sahan	1
66	Do.	2
67	Bhawanipur	3
68	Batara J. H. School	2
69	Do.	2
70	Batara Primary school	2
71	Onha	2
72	Do.	3
73	Sadhh	3
74	Do.	1

1	2	3
75	Rampura hamlet of Kurra Jarawan	2
76	Do.	3
77	Do.	2
78	Udaipur hamlet of Timrakh	3
79	Do.	3
80	Souj	4
81	Souj	5
82	Saman J. H. school	2
83	Do.	1
84	Saman Canal Inspection House	2
85	Do.	2
86	Faranji	3
87	Do.	4
88	Jatpura	3
TOTAL		271

Verification :

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true. Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty two.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is true copy of annexure 'N'.

RAM NATH,
Petitioner.

TO THE ELECTION COMMISSION OF INDIA

ANNEXURE 'O'

IN

ELECTION PETITION No. 5 OF 1962.

Ram Nath Petitioner.

Versus

Shri Bad Shah Gupta and others Respondents.

List of valid ballot papers of the petitioner wrongly counted as votes of Respondent Nos. 1 to 7 in respect of 347 Karhal included in 70 Mainpuri Parliamentary Constituency.

Serial No. of polling station	Name of polling station	No. of valid ballot papers of petitioner wrongly co- unted in favour of res- pondents 1 to 7
1	2	3
1	Balpura	3
2	Do.	2
3	Hazipur Nera	1
4	Dalupur	3
5	Do.	2
6	Abdul Nabi Pur	2
7	Chandikara	3
8	Do.	2

I	2	3
9	Phoolpur	1
10	Ankhara	2
11	Sothara	1
12	Do.	2
13	Baniganwa	2
14	Do.	1
15	Deoli	1
16	Do.	2
17	Do.	3
18	Mithepur	1
19	Do.	1
20	Kumheri	2
21	Chandpura	1
22	Do.	3
23	Dhidhora	2
24	Amamai	1
25	Nagla Gharia hamlet of Ahladpur	1
26	Do.	1
27	Nagla Bara hamlet of Ati Kullapur	3
28	Do.	3
29	Parssan Shahpur	3
30	Do.	2
31	Lakhan Mau	2
32	Do.	3
33	Barnahal J. H. School	3
34	Do.	2
35	Barnahal Primary School	2
36	Do.	1
37	Bamtapur	2
38	Do.	3
39	Saj Hazipur	2
40	Do.	1
41	Urthan J. H. School	1
42	Do.	1
43	Anjani	2
44	Do.	1
45	Kamalpur	2
46	Do.	2
47	Karhem Lemanchu Jain Inter college	2
48	Do.	3
49	Do.	2
50	Karhel	1
51	Karhel J. H. School	2
52	Do.	2
53	Atirajpur	2
54	Do.	2
55	Mahabatpur.	3
56	Do.	2
57	Padra	1
58	Do.	2
59	Kirthua	2
60	Do.	1
61	Takhrau	2
62	Do.	2
63	Nimawali	3
64	Do.	2
65	Sahan	2
66	Do.	2
67	Bhawanipur	1
68	Patara J. H. School	2
69	Do.	3
70	Batara Primary school	3
71	Unha	2
72	Do.	3
73	Sadhh	4
74	Do.	5
75	Rampura hamlet of Kurra Jarawan	3

1	2	3
76	Rampura hamlet of Kurra Jarawan	4
77	Do.	3
78	Udaipur hamlet of Timrakh	2
79	Do.	2
80	Sauj	2(3)
81	Do.	2
82	Saman J. H. school	3
83	Do.	2
84	Saman Canal Inspection House	1
85	Do.	2
86	Paranji	2
87	Do.	2(3)
88	Jatpura	1
TOTAL		183

Verification

I, Ram Nath, hereby verify that the contents of this list are believed by me to be true.

Verified at Delhi this 17th day of March of the year One Thousand Nine Hundred and Sixty two.

RAM NATH,
Petitioner.

I, Ram Nath, petitioner, certify that this is a true copy of annexure 'O'.

RAM NATH,
Petitioner

[No. 82/5/62.]

C. B. LAL, Under Secy.

New Delhi, the 26th March 1962

S.O. 894.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Assam, hereby nominates **Shri B. W. Roy, I.A.S.** as the Chief Electoral Officer for the State of Assam with effect from the 1st April, 1962 and until further orders.

[No. 154/2/62.]

By order,

PRAKASH NARAIN, Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 16th March 1962

S.O. 895.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1957, namely:—

1. These rules may be called the Central Civil Services (Classification, Control and Appeal) Second Amendment Rules, 1962.

2. In Part II of the Schedule to the Central Civil Services (Classification, Control and Appeal) Rules, 1957 against "Labour Officers, Class II" in column 1, below

"(t) Department of Atomic Energy" and the entries relating thereto in columns 3 and 4, the following shall be inserted, namely:—

3	4
"(u) Office of the Surveyor General of India.	Surveyor General of India.
	(i) to (iii)"

[No. F. 7/6/62-Ests.(A).]

New Delhi, the 28th March 1962

S.O. 896.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Civil Services (Conduct) Rules, 1955, namely:—

1. These rules may be called the Central Civil Services (Conduct) Amendment Rules, 1962.

2. In sub-rule (2) of rule 1 of the Central Civil Services (Conduct) Rules, 1955,—

(i) for the words "Except as otherwise provided by or under these rules, they", the words "Except as otherwise provided by or under these rules and subject to the provisions of the Indian Foreign Service (Conduct and Discipline) Rules, 1961, these rules" shall be substituted;

(ii) in the proviso, clause (b) shall be omitted.

[No. 25/14/62-Ests.(A).]

B. D. JAYAL, Dy. Secy.

New Delhi, the 23rd March 1962

S.O. 897.—In exercise of the powers conferred by entry 3(b) of the table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify Her Highness Maharani Shri Rajendrakunverba Saheb and Maharajkumari Shri Nandkunverba Saheb, wife and daughter respectively, of the Ruler of Kutch, for the purposes of that entry and directs that the exemption shall be valid in respect of one gun/rifle and pistol/revolver in the case of the Maharani and one rifle/gun in the case of the Maharajkumari.

[No. 16/8/61-P.IV.]

S. K. SINGH, Under Secy.

CABINET SECRETARIAT

Department of Statistics

New Delhi, the 15th March 1962

S.O. 898.—In pursuance of sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendments in the notification of the Government of India in the Cabinet Secretariat No. S.R.O. 633, dated the 28th February, 1957, namely:—

In the Schedule to the said notification,—

(i) in Part II—General Central Service, Class III.—

(i) under the heading, "Directorate of National Sample Survey", for the existing entries the following entries shall be substituted, namely:—

1	2	3	4	5
(i) All posts in Headquarters and Field Offices, except the posts of Inspector, Senior Computer, Junior Statistical	Chief Director, National Sample Survey.	Chief Director, National Sample Survey.	All	Additional Secretary, Department of Statistics.

1	2	3	4	5
Supervisor, Junior Statistical Assistant, Junior Computer, Investigator, Upper Division Clerk, Stenographer (scale Rs. 130—300), Lower Division Clerk and Steno-typist,		Deputy Director, National Sample Survey.	(i) to (iii)	Chief Director, National Sample Survey.
In respect of posts of Manufacturing Industries Investigator, Assistant Superintendent and Scrutiny Inspector in Field Offices		Assistant Director, in his own range / office.	(i) to (iii)	Chief Director, National Sample Survey.
(ii) Posts of Inspector, Senior Computer, Junior Statistical Supervisor, Junior Statistical Assistant, Junior Computer and Stenographer (scale Rs. 130—300) in Headquarters and Field Offices.	Deputy Director, National Sample Survey.	Deputy Director, National Sample Survey.	All	Chief Director, National Sample Survey.
In respect of posts of:				
(a) Inspector in Field Offices.		Assistant Director in his own range.	(i) to (iii)	Deputy Director, National Sample Survey.
(b) Senior Computer, Junior Statistical Supervisor, Junior Statistical Assistant and Junior Computer in Field Offices.		Assistant Statistician/Regional Officer in his own region.	(i) to (iii)	Deputy Director, National Sample Survey.
(iii) Posts of Investigator, Upper Division Clerk, Lower Division Clerk, and Steno - typist in Headquarters & Field Offices.	Assistant Director / Statistician (Headquarters) in charge of Administration in respect of posts at Headquarters, and Assistant Director in his own range in respect of posts in Field Offices.	Assistant Director/Statistician (Headquarters) in charge of Administration in respect of posts at Headquarters, and Assistant Director in his own range in respect of posts in Field Offices.	All	Chief Director, National Sample Survey.
In respect of posts of :—				
Investigator, Upper Division Clerk and Lower Division Clerk in Block offices.		Superintendent in his own Block.	(i) to (iii)	Assistant Director of the concerned range.

(2) In Part III — General Central Service, Class IV—

(ii) under the heading, "Directorate of National Sample Survey" for the existing entries, the following entries shall be substituted :—

1	2	3	4	5
Posts in Headquarters Office.	Assistant Director / Statistician (Headquarters) in charge of administration.	Assistant Director/ Statistician (Headquarters) in charge of administration.	All	Deputy Director, National Sample Survey.
Posts in Field Offices.	Assistant Director/Regional Officer or Assistant Statistician in his own range/region.	Assistant Director/ Regional Officer or Assistant Statistician in his own range/region.	All	Deputy Director, National Sample Survey.
		Superintendent in his own Block.	(i) to (iii)	Assistant Director of the concerned range.

[No. 18/9/61-Estt(A)/Estt II.]

M. BALAKRISHNA MENON, Under Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi the 17th March 1962

S.O. 899.—In pursuance of clause (a) of sub-section (1) of Section 19 and sub-section (1) of Section 20 of the State Bank of India Act, 1955 (23 of 1955), the Central Government hereby appoints Shri H. M. Seervai, Advocate, Shiv Shanti Bhuvan, Queen's Road, Bombay as the Vice-Chairman of the State Bank of India for a term of two years with effect from the date on which he takes over charge of this office.

[No. F. 8/29/62-SB.]

(Department of Economic Affairs)

New Delhi, the 20th March, 1962

S.O. 900.—Statement of the Affairs of the Reserve Bank of India, as on the 16th March, 1962**BANKING DEPARTMENT**

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	21,49,09,000
Reserve Fund	80,00,00,000	Rupee Coin	1,18,000
National Agricultural Credit (Long-term Operations) Fund	50,00,00,000	Subsidiary Coin	3,13,000
National Agricultural Credit (Stabilisation) Fund	6,00,00,000	Bills Purchased and Discounted:—	
Deposits:—		(a) Internal
(a) Government		(b) External
(1) Central Government	86,04,15,000	(c) Government Treasury Bills	51,48,32,000
(2) Other Governments	5,47,06,000	Balances held abroad*	10,18,71,000
(b) Banks	77,49,11,000	**Loans and Advances to Governments	84,43,76,000
(c) Others	149,64,37,000	Other Loans and Advances†	193,77,27,000
Bills Payable	29,58,42,000	Investments	153,17,06,000
Other Liabilities	58,50,24,000	Other Assets	33,14,83,000
Rupees	547,73,35,000	Rupees	547,73,35,000

* Includes Cash & Short-term Securities.

** Includes Temporary Overdrafts to State Governments.

† The item 'Other Loans and Advances' includes Rs. 47,84,00,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated, the 20th day of March, 1962.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 16th day of March, 1962

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	21,49,09,000		A. Gold Coin and Bullion:—		
Notes in circulation	<u>2073,06,89,000</u>		(a) Held in India	117,76,03,000	
Total Notes issued		2094,55,98,000	(b) Held outside India	
			Foreign Securities	<u>123,86,07,000</u>	
			TOTAL OF A		241,62,10,000
			B. Rupee Coin		115,77,11,000
			Government of India Rupee Securities		<u>1737,16,77,000</u>
			Internal Bills of Exchange and other commercial paper
TOTAL LIABILITIES		2094,55,98,000	TOTAL ASSETS		2094,55,98,000

Dated, the 20th day of March, 1962.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/62.]

A. BAKSI,
Joint Secy.

(Department of Economic Affairs)*New Delhi, the 26th March 1962*

S.O. 901.—In exercise of the powers conferred by Section 4 of the Life Insurance Corporation Act, 1956 (31 of 1956) the Central Government hereby appoints Shri B. Venkatappiah, Chairman, State Bank of India, Bombay, as a member of the Life Insurance Corporation of India, Bombay from 26th March, 1962 to 31st August, 1962.

[No. 1(7)-INS(II)/603]

V. P. MITHAL, Under Secy.

(Department of Revenue)**INCOME-TAX ESTABLISHMENTS***New Delhi, the 17th March 1962*

S.O. 902.—In pursuance of clause (b) of Sub-rule (ii) of rule 2 of the Appellate Tribunal Rules, 1946, the Central Government has been pleased to appoint Shri G. V. Rao, Income-tax Officer, Class II, as Junior Authorised Representative, Income-tax Appellate Tribunal, Patna, with effect from the 26th February 1962 (forenoon), to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal.

[No. 60.]

P. S. KAICKER, Under Secy.

CENTRAL BOARD OF REVENUE**INCOME-TAX***New Delhi, the 20th March 1962*

S.O. 903.—In exercise of the powers conferred by sub-section (I) of section 59 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following rules further to amend the Indian Income-tax Rules, 1922, the same having been previously published as required by sub-section (4) of the said section, namely:—

1. These rules may be called the Indian Income-tax (First Amendment) Rules, 1962.

2. In the statement annexed to rule 8 of the Indian Income-tax Rules, 1922, under the heading 'III Machinery and Plant' and sub-heading (2), in Group B, after item (xxxv), the following item shall be inserted:

"(xxxvi) Machinery used for the manufacture of Zip fasteners ..10".

[No. 13(F. No. 27/40/60-IT(AI).]

M. D. VARMA, Secy.

New Delhi, the 31st March 1962

S.O. 904.—In exercise of the powers conferred by section 12 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Board of Revenue hereby makes the following amendment in its notification No. 31-Cus., dated the 2nd April, 1960, namely:—

In the Schedule annexed to the said Notification, the entry relating to the port 'Tankari' shall be omitted.

[No. 35 F. No. 14/7/61-LC.II.]

[No. 35.]

L. S. MARTHANDAM, Under Secy.

CENTRAL EXCISE COLLECTORATE, POONA

Poona, the 22nd March, 1962.

S.O. 905.—In exercise of the powers conferred upon me under Rule 143 and 233 of the Central Excise Rules, 1944 and in supersession of this Collectorate Notification No. CER/13/6, dated the 28th December, 1961, as amended by notifications Nos. CER/2/62 and CER/4/62, dated 11th January, 1962 and 30th January, 1962, respectively, I issue the following supplementary instructions which shall be observed by all licensees who desire to crush non-duty-paid unmanufactured tobacco into rawa (Rawa) of tobacco capable of passing through a sieve made of wire not finer than 24 S.W.G. (0.5588 millimetre diameter) and containing not less than 18 uniform circular or square apertures per linear distance of 25.4 millimetres or who want to separate such Rawa out of non-duty-paid admixture of tobacco.

- (i) A licensee desirous of obtaining permission to crush non duty-paid unmanufactured tobacco into Rawa shall apply in the prescribed form 'A' in triplicate. All the three copies of the application shall be presented to the Range/Sector Officer in-charge of the warehouse a week before the crushing is intended to start.
- (ii) On receipt of the licensee's application the Range/Sector Officer shall visit the warehouse, examine the tobacco intended to be crushed and draw two representative samples from the lot. One sample shall be delivered to the licensee and the other retained by the officer.
- (iii) The licensee's application and the sample drawn shall be forwarded by the Range/Sector Officer to the Superintendent, Central Excise having jurisdiction. The Superintendent shall accord the sanction if he is reasonably satisfied that such crushing is necessary for preservation, sale or disposal of the tobacco sought to be crushed. In arriving at this decision the Superintendent shall be guided by the following factors:—
 - (a) quality and condition of the tobacco sought to be crushed;
 - (b) period during which it has been in storage; and
 - (c) approximate market value of the un-crushed tobacco and approximate market value of Rawa obtainable from such tobacco.
- (iv) The Superintendent's decision shall be recorded on all the three copies of the application in Form 'A'. The original copy shall be given to the applicant licensee.
- (v) If a request for crushing of tobacco into rawa is rejected by the Superintendent the reasons for such rejection shall be recorded on all the three copies of the application and the original copy shall be given to the applicant licensee.
- (vi) The licensee shall start crushing operations only on receipt of the written permission from the Superintendent. Such crushing shall commence and terminate on the dates specified by the Superintendent. The Superintendent shall allow a reasonable period for crushing depending upon the quantity and variety of tobacco to be crushed. The period so granted may be extended for a further period not exceeding seven days by the Range Officer in exceptional circumstances such as absence of labour, closure of warehouse etc.
- (vii) Crushing shall be undertaken between 8 A.M. and 6 P.M. only.
- (viii) The licensee shall maintain a datewise account of the tobacco crushed and resultant products obtained on the original copy of the application in form 'A' in his possession. This account shall be duly signed every day by the licensee or his authorised agent.
- (ix) When the crushing operations are over, the Deputy Superintendent or such other officer as may be authorised by the Collector shall visit the warehouse. The licensee shall produce before him the entire quantity of Rawa, dust etc. obtained after crushing. If satisfied, the officer shall allow the entry of resultant products to be made in W.R.G. 2 Part II Register under his dated signature. Until this is done, no clearance of the crushed Rawa, dust etc. shall be allowed.

- (x) Clearance on payment of duty or in-bond of Rawa so obtained after crushing shall be allowed by the Deputy Superintendent or such other officer as may be authorised by the Collector.

2. Provisions of para 1 above shall apply *mutatis mutandis* to separation of Rawa out of non-duty paid admixture of tobacco. Application for separation shall be made in the prescribed form 'B'. Percentage of Rawa in the admixture shall be determined in the presence of independent witnesses at the time of taking samples by the Range/Sector officer in terms of para 1(11) above.

FORM 'A'

FORM OF APPLICATION FOR CRUSHING UNMANUFACTURED TOBACCO INTO 18 GHARI RAWA

I/We L. 5 No. of desire to crush unmanufactured tobacco into 18 ghari Rawa. The particulars of tobacco intended to be crushed are given below. Immediately after crushing I intend to Warehouse/clear on payment of duty/in-bond the resultant Rawa etc.

I/We undertake to abide by the conditions laid down in Notification No. CER/6/62 dated 16-3-1962 for crushing of unmanufactured tobacco into Rawa.

Place :
Date :

Signature of the licensee or his
authorised agent.

Lot No.	Descrip- tion	No. of packages	Qty. Kgs.	No. of TP2/TP3 under which re-ware- housed/ ware- housed.	D.F.W.	Fair market value per quintal in uncrushed form.			Fair market value per qtl. after crushing into Rawa			Estimated Qty. of Rawa to be obtained	Detailed particulars of premises such as area where crushing will take place	Dates on which crushing is intended to be undertaken	Remarks
						Ex-duty price	Duty	Total	Ex-duty price	Duty	Total				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

Permission to crush above quantity and description of unmanufactured tobacco from to allowed.
(dates)

O R

Permission to crush above quantity and description of unmanufactured tobacco into Rawa is refused on the following grounds:—

Place :

Date :

SUPERINTENDENT OF CENTRAL EXCISE

For use by the licensee

Date	Quantity of tobacco crushed	Description and quantity of resultant Rawa dust etc. obtained at the end of the day	Signature of the licensee or his authorised agent	Remarks and Signatures of the checking central excise officer
1	2	3	4	5

FORM 'B'

FORM OF APPLICATION FOR SEPARATION OF RAWA OUT OF ADMIXTURE TOBACCO

I/WE L. 5 No. of desire to separate Rawa out of admixture tobacco particulars of which are given below. Immediately after separation, I intend to warehouse/clear on payment of duty/in-bond the resultant products. I/We undertake to abide by the conditions laid down in Notification No. CRE/6/1962 dated 16-3-1962.

Place :

Date :

Signature of the licensee
or his authorised agent.

Lot No.	Description	No. of packages	Qty. Kgs.	No. of TP2/ TP3 under which re- warehoused/ warehoused	D.F.W.	Percentage of Rawa in the admixture at the time of sampling by the Range Sector Officer	Detailed particulars of premises such as area where separation will take place	Dates on which separation is intended to be under- taken	Remarks
1	2	3	4	5	6	7	8	9	10

Permission to separate Rawa out of the above admixture from to granted.
(Dates)

O. R.

Permission to separate Rawa out of the above admixture is refused on the following grounds :—

SUPERINTENDENT CENTRAL EXCISE

For use by the Licensee

Date	Quantity of admixture separated.	Description and quantity of resultant Rawa, dur, etc. obtained at the end of the day and percentage of Rawa to the quantity in Col. 2.			Signature of the licensee or his authorised agent.	Remarks and Signature of the Checking Central Excise Officer.
		Description	Quantity	Percentage		
1	2	3	4	5	6	7

[No. CER/6/62.]
 [No. F. V(a)24-202/T/59.]
 B. D. DESHMUKH,
 Collector of Central Excise, Poona.

**PLANNING CELL
ERRATA**

In Office of the Collector of Central Excise, Bangalore-1, Notification No. 2/62, dated 25th January, 1962 published in weekly Gazette, dated 24th February 1962 in Part II, Section 3(ii) under S.O. 543, the following corrections are to be made:—

- (a) In line 5 of the Notification, after the number "4" for the word "arcas" read "ares".
- (b) In Coorg District under column 2, Sl. No. 14 for the words and figures "Malambi Forest No." read "Malambi Forest No. 2".
- (c) In Hassan District under column 2, line 4 for the words "of Aluk Taluk". read "of Alur Taluk".

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 26th March 1962

S.O. 906.—On his appointment as Secretary, Council of Scientific and Industrial Research, New Delhi, Shri A. J. Kidwai, a permanent officer of the Selection Grade of the Central Secretariat Service, relinquished charge of the office of Deputy Chairman, Tea Board, Calcutta with effect from the afternoon of the 23rd February, 1962.

[No. 1(48)Plant(A)/60.]

B. KRISHNAMURTHY, Under Secy.

ORDER

New Delhi, the 26th March 1962

S.O. 907/IDRA/5.—In exercise of the powers conferred by section 5 of the Industries (Development and Regulation) Act, 1951 (85 of 1951), read with rule 8 of the Central Advisory Council (Procedural) Rules, 1952, the Central Government hereby appoints Mr. H. Mackay Tallack and Shri Shriyans Prasad Jain to be members of the Central Advisory Council of Industries till the 17th May 1963, in place of Mr. N. Stenhouse and Lala Karam Chand Thapar respectively—the out-going Presidents of the Associated Chambers of Commerce of India and the Federation of Indian Chambers of Commerce and Industry, and directs that the following amendments shall be made in the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 1172, dated the 18th May, 1961, namely:—

- (a) In the said Order, for entry No. 2 relating to Mr. N. Stenhouse, the following entry shall be substituted, namely:—

2. H. Mackay Tallack, Esq., President, Associated "owners" "member" Chambers of Commerce of India, Calcutta-1.

- (b) In the said Order, for entry No. 22 relating to Lala Karam Chand Thapar, the following entry shall be substituted, namely:—

"22. Shri Shriyans Prasad Jain, President, Federation of Indian Chambers of Commerce and Industry, Federation House, New Delhi.

[No. 1(15)Lic.Pol./61.]

D. HEJMADI, Dy. Secy.

COFFEE CONTROL

New Delhi, the 23rd March 1962

S.O. 908.—Shri G. S. Srinivasan, I.A.S., Chief Coffee Marketing Officer, Coffee Board, Bangalore, is granted earned leave for thirty days with effect from 2nd March, 1962 to 31st March, 1962, with permission to avail of Sunday, the 1st April, 1962.

Shri C. V. Subramanian, Deputy Chief Coffee Marketing Officer shall, in addition to his own duties, perform the duties of the Chief Coffee Marketing Officer during the above period.

[No. 9(5) Plant(B)/62.]

B. KRISHNAMURTHY, Under Secy.




(Indian Standards Institution)



New Delhi, the 19th March 1962

S. O. 909.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Marks, designs of which together with the verbal description of the designs and the titles of the relevant Indian Standards are given in the Schedule hereto annexed, have been specified.

These Standard Marks, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the rules and regulations framed thereunder, shall come into force with effect from 2nd April 1962.

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product to which applicable	No. & Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
1.	<p>IS: 226</p>  <p>A</p>	Structural Steel	IS : 226-1958 Specification for Structural Steel (<i>Second Revision</i>).	The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram and the relevant grade designation being subscribed under the bottom side of the monogram as indicated in the design for 'A' in column (2).
2.	<p>IS: 432</p>  <p>MT</p>	Mild Steel and Medium Tensile Steel Bars and Hard-drawn steel wire for concrete reinforcement.	IS : 432-1960 Specification for Mild Steel and Medium Tensile Steel Bars and Hard-drawn steel wire for concrete reinforcement (<i>Revised</i>).	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram and the relevant grade designation being subscribed under the bottom side of the monogram as indicated in the design for 'MT' in column (2).
3.	<p>IS: 961</p>  <p>HT</p>	High Tensile Structural Steel.	IS : 961-1957 Specification for High Tensile Structural Steel.	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram and the relevant grade designation being subscribed under the bottom side of the monogram as indicated in the design for 'HT' in column (2).

(1)	(2)	(3)	(4)	(5)
4.		Rivet Bars for Structural Purposes.	IS : 1148-1957 Specification for Rivet Bars for Structural Purposes.	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram as indicated in the design.
5.		High Tensile Rivet Bars for Structural Purposes.	IS : 114991-57 Specification for High Tensile Rivet Bars for Structural Purposes	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in col. (2), the number designation of the Indian Standard being super-scribed on the top side of the monogram as indicated in the design.

[No. MD/17:2.]

New Delhi, the 20th March 1962

S.O. 910.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established during the period 1st March to 15th March 1962.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
1	2	3	4
1.	IS:329-1961 Specification for Oil of Sandalwood (<i>Revised</i>).	IS:329-1952 Specification for Sandalwood Oil.	This standard prescribes the requirements and the methods of test for the material commercially known as the oil of sandalwood. The material is largely used by the soap, cosmetics and perfumery industries and also for medicinal purposes (Price Re. 1-00).
2.	IS:363-1961 Specification for Hasps and Staples (<i>Revised</i>).	IS:363-1951 Specification for Hasps and Staples, Safety and Wire Types, (<i>Temporary</i>).	This standard covers requirements regarding material, dimensions, manufacture and finish of hasps and staples (Price Rs. 2-00).

1	2	3	4
3	IS:581-1962 Specification for Vegetable Tanned Hydraulic Leather (<i>Revised</i>).	IS:581-1954 Specification for Vegetable Tanned Hydraulic Leather.	This standard prescribes the requirements and the methods of test for vegetable tanned hydraulic leather used for making all kinds of leather packings, flange leather, cups and pump leather, hydraulic rams 'U' leathers, 'V' leathers and for leather rings (Price Rs. 1.50).
4	IS:1778-1961 Specification for Reels and Drums for Bare Wire.	..	This standard specifies the requirements for reels and wooden drums for bare round wire and standard conductors (Price Rs. 1.50).
5	IS:1786-1961 Specification for cold Twisted Steel Bars for Concrete Reinforcement.	..	This standard covers the requirements and the methods of test for steel bars for concrete reinforcement, plain or deformed, which have been cold worked by twisting or twisting combined with stretching (Price Rs. 2.00).
6	IS:1791-1961 Specification for Batch Type Concrete Mixers.	..	This standard lays down requirements regarding water tanks and fittings, loaders, hoppers, discharge height, power units, road-worthiness, etc. of tilting and non-tilting batch type concrete mixers (Price Rs. 2.00).
7	IS:1815-1961 Methods for Detection and Estimation of Damage in Cotton Yarn and Cordages due to Microorganisms.	..	This standard prescribes methods for the detection and estimation of damage in cotton yarn and cordages due to micro-organisms (Price Rs. 2.00).
8	IS:1901-1961 Specification for Visual indicator Lamps.	..	This specification lays down the requirements and methods of test for electric lamps used as visual indicators in telephone and telegraph switch boards and for allied purposes (Price Rs. 2.50).
9	IS:1920-1961 Specification for White Indian Hemp Line.	..	This part of the standard prescribes requirements for white Indian hemp line, 6 mm to 25 mm in size. In this part, all quantities and dimensions have been expressed in the metric system (Price Rs. 2.50).
10	IS:1922-1961 Specification for Liquid Gold, Bright.	..	This standard prescribes the requirements and the methods of test for the material commercially known as liquid gold, bright, for use on glass and glazed ceramic articles (Price Rs. 1.00).

1	2	3	4
11	IS:1924-1961 Specification for Portable Fire Extinguisher, Water Type (Bucket Pump).	..	This standard lays down the requirements regarding material, capacity, construction, finish and test of portable fire extinguisher, water type (bucket pump), having a capacity of 10 litres (Price Rs. 2.00).
12	IS:1994-1961 Specification for Crown Corks.		This standard prescribes the requirements and methods of test of the crown corks used on glass bottles conforming to IS:1107-1957 Specification for Aerated Water Glass Bottles (Price Rs. 1.50).

Copies of these Indian Standards are available, for sale, with the Indian Standards Institution, 'Marak Bhavan' 9 Mathura Road, New Delhi-1, and also at its Branch Offices at (i) 232 Dr. Dadabhoy Naoroji Road, Fort, Bombay-1, (ii) Third Floor, 11 Scoterkin Street, Calcutta-13, (iii) 2/21 First Line Beach, Madras-1, and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:2.]

S. O. 911.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendments to the Indian Standards given in the Schedule hereto annexed have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Serial No.	No. and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified.	No. & date of the Amendment	Brief particulars of the Amendment	Date of effect of the Amendment
(1)	(2)	(3)	(4)	(5)	(6)
1	IS: 20-1959 Specification for Cast Aluminium and Aluminium Alloy for Utensils (<i>Second Revision</i>)	S. O. 2834 dated 26th December 1959.	No. 1 March 1962	The existing clause A-2.2 has been deleted and substituted by a new clause.	1st April 1962
2	IS : 21-1959 Specification for Wrought Aluminium and Aluminium Alloy for Utensils (<i>Second Revision</i>)	S. O. 613 dated 12th March 1960.	No. 1 March 1962	The existing clause 0.2 has been deleted and substituted by a new clause.	1st April 1962
3	IS : 64-1950 Specification for Barytes for Paints	S.R.O. 658 dated 26th March 1955	No. 1 February 1962	In clause 3.1, line 3, '500 g' has been substituted for '1 lb. (or 450 g)'	1st April 1962
4	IS : 65-1950 Specification for Blanc Fixe for Paints	S.R.O. 658 dated 26th March 1955	No. 1 February 1962	In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'	1st April 1962
5	IS : 70-1950 Specification for Cuprous Oxide for Paints	S.R.O. 658 dated 26th March 1955	No. 1 February 1962	In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'	1st April 1962
6	IS : 71-1950 Specification for Mercuric Oxide for Paints	S.R.O. 658 dated 26th March 1955	No. 1 February 1962	In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'	1st April 1962
7	IS : 98-1950 Specification for Oil Paste for Paints, Zinc Oxide	S.R.O. 658 dated 26th March 1955	No. 1 January 1962	In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'	1st April 1962
8	IS : 99-1950 Specification for Oil Paste for Paints, Zinc Oxide, Reduced	S.R.O. 658 dated 26th March 1955	No. 1 January 1962	In clause 3.1, line 3, '500 g' has been substituted for '1 lb. (or 450 g)'	1st April 1962
9	IS : 114-1950 Specification for Ready Mixed Paint, Spraying Undercoating, Interior	S.R.O. 658 dated 26th March 1955	No. 1 February 1962	(i) In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)' (ii) In Table I, col. 2, against Sl. No. (xi) 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'.	1st April 1962

(1)	(2)	(3)	(4)	(5)	(6)
10	IS : 115-1950 Specification for Ready Mixed Paint, Brushing, Undercoating, Exterior, Matt Finish	S.R.O. 658 dated 26th March 1955	No. 1 February 1962	(i) In clause 3·1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'	1st April 1962
				(ii) In Table I, col. 2, against Sl. No. (xiv), 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'.	
11	IS : 116-1950 Specification for Ready Mixed Paint, Spraying, Undercoating, Exterior, Matt Finish	S.R.O. 658 dated 26th March 1955	No. 1 February 1962	(i) In clause 3·1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'	1st April 1962
				(ii) In Table I, col. 2, against Sl. No. (xiv), 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'.	
12	IS : 129-1950 Specification for Ready Mixed Paint, Brushing, Finishing, Interior, Oil Gloss, for General Purposes	S.R.O. 658 dated 26th March 1955	No. 2 February 1962	(i) In clause 3·1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'	1st April 1962
				(ii) In Table I, col 2, against Sl. No. (xii), 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'.	
13	IS : 131-1950 Specification for Ready Mixed Paint, Spraying, Finishing, for Railway Under-Frames, Black	S.R.O. 658 dated 26th March 1955	No. 1 February 1962	(i) In clause 3·1, line 3, '500 g' has been substituted for '1 lb. (or 450 g)'	1st April 1962
				(ii) In Table I, col. 2, against Sl. No. (xv), 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'.	
				(iii) In Appendix A, clause 1·1, line 12, '20 mm' has been substituted for '0·75 in. (or 19 mm)'.	
				(iv) In Appendix A, clause 1·1, line 14, '40 mm' has been substituted for '1·5 in. (or 38 mm)'.	
14	IS : 140-1950 Specification for Ready Mixed Paint, Brushing, Petrol Resisting	S.R.O. 658 dated 26th March 1955	No. 1 February 1962	(i) In clause 3·1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'.	1st April 1962

Air-Drying, for Exterior Painting
of Containers, colour as required

- | | | | |
|----|---|----------------------------------|------------------------|
| 15 | IS : 142-1950 Specification for Ready Mixed Paint, Brushing, Petrol Resisting, Stoving, for Exterior Painting of Containers colour as required. | S.R.O. 658 dated 26th March 1955 | No. 1
February 1962 |
| 16 | IS : 145-1950 Specification for Ready Mixed Paint, Slushing, Petrol Resisting, Air-Drying, for Interior Painting of Tanks and Containers, Red Oxide (colour unspecified). | S.R.O. 658 dated 26th March 1955 | No. 1
February 1962 |
| 17 | IS : 151-1950 Specification for Ready Mixed Paint, Spraying, Finishing, Stoving, Enamel, for General Purposes, colour as required | S.R.O. 658 dated 26th March 1955 | No. 1
February 1962 |
| 18 | IS : 155-1950 Specification for Ready Mixed Paint, Brushing, Matt Black for use on wood | S.R.O. 658 dated 26th March 1955 | No. 1
February 1962 |
| 19 | IS : 167-1950 Specification for Ready Mixed Paint, Thick White, for Lettering | S.R.O. 658 dated 26th March 1955 | No. 2
February 1962 |

- | | | |
|------|---|----------------|
| (ii) | In Table I, col. 2, against Sl. No. (xvii), 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'. | |
| (i) | In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)' | 1st April 1962 |
| (ii) | In Table I, col 2, against Sl. No. (xvii), 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'. | |
| (i) | In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)' | 1st April 1962 |
| (ii) | In Table I, col 2, against Sl. No. (xiii), 'Weight in kg/10 litres, has been substituted for 'Weight per Imperial Gallon'. | |
| (i) | In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)' | 1st April 1962 |
| (ii) | In Table I, col. 2, against Sl. No. (xvi), 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'. | |
| (i) | In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'. | 1st April 1962 |
| (ii) | In Table I, col 2, against Sl. No. (x), 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'. | |
| (i) | In clause 3.1, line 3, '500 g' has been substituted for '1 lb (or 450 g)'. | 1st April 1962 |
| (ii) | In Table I, col. 2, against Sl. No. (x), 'Weight in kg/10 litres' has been substituted for 'Weight per Imperial Gallon'. | |

(1)	(2)	(3)	(4)	(5)	(6)
20	IS : 261-1950 Specification for Copper Sulphate, Technical.	S.R.O. 658 dated 26th March 1955.	No. 3 February 1962	<p>(i) The existing item 4 and clause 4.1 has been deleted and the subsequent item 5 and clauses 5.1 and 5.2 have been renumbered as 'item 4 and clauses 4.1 and 4.2'.</p> <p>(ii) In Appendix A, clause 3.1, line 1, '500 g' has been substituted for '1 lb (or 450 g)'.</p> <p>(iii) In Appendix A, clause 3.3, line 2 '500 g' has been substituted for '1 lb (or 450 g)'.</p> <p>(iv) The existing Appendix C has been deleted.</p>	1st April 1962.
21	IS : 262-1950 Specification for Iron Sulphate, Technical.	S.R.O. 658 dated 26th March 1955.	No. 1 February 1962	<p>(i) In Appendix A, clause 3.1, line 1, '500 g' has been substituted for '1 lb (450 g)'.</p> <p>(ii) In Appendix A, clause 3.3, line 2, '500 g' has been substituted for '1 lb (450 g)'.</p>	1st April 1962.
22	IS : 539-1955 Specification for Naphthalene.	S.R.O. 2148 dated 1st October 1955.	No. 1 January 1962	<p>(i) In sub-clause 4.1.1, last line, '25 kg or 50 kg' has been substituted for $\frac{1}{2}$ cwt or 1 cwt.</p> <p>(ii) In clause A-3.1, line 8, '1 kg' has been substituted for '2 lb (or 1 kg)'.</p> <p>(iii) In clause A-3.2, line 2, '250 g' has been substituted for '8 oz (or 225 g)'.</p> <p>(iv) In clause E-3.1, lines 2 and 3 '150×25 mm' has been substituted for '6×1 in. (or 150×25 mm)'.</p>	1st April 1962.
23	IS : 551-1954 Marking System for Grinding Wheels (<i>Tentative</i>).	S.R.O. 658 dated 26th March 1955.	No. 1 February 1962	In clause 9.3, line 1 '150 mm' has been substituted for '6 in'	1st April 1962.
24	IS : 745-1955 Specification for Handloom Cotton Bed Sheets, Grey, Bleached, Dyed or Striped.	S.R.O. 701 dated 24th March 1956.	No. 1 February 1962	<p>(i) The existing clause 0.7 has been deleted and substituted by a new clause.</p> <p>(ii) The first sentence of sub-clause 2.3.1 has been deleted and substituted by a new sentence.</p>	1st April 1962.

- (iii) The existing item 3 and clause 3·1 have been deleted and the subsequent items and clauses have been renumbered accordingly.
- (iv) The existing Table I has been deleted and substituted by a new Table.
- (v) The existing renumbered sub-clause 3·2·1 has been deleted and substituted by a new sub-clause.
- (vi) The existing renumbered clause 4·3 has been deleted and substituted by a new clause.
- (vii) The existing renumbered sub-clause 4·3·1 has been deleted and substituted by a new sub-clause.
- (viii) The existing renumbered clause 4·4 has been deleted and substituted by a new clause.
- (ix) The existing renumbered sub-clause 4·4·1 has been deleted and substituted by a new sub-clause.

Copies of these Amendment Slips are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9 Mathura Road, New Delhi-1, and also at its Branch Offices at (i) 232 Dr. Dadabhoi Naoroji Road, Fort, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, (iii) 2/21 First Line Beach, Madras-1, (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13 : 5]

C. N. MODAWAL

Head of the Certification Marks Division.

MINISTRY OF STEEL, MINES AND FUEL

(Department of Mines and Fuel)

New Delhi, the 20th March 1962

S.O. 912.—In exercise of the powers conferred by sub-section (2) of section 17 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government after consultation with the Government of the State of Madhya Pradesh hereby notifies that it proposes to undertake prospecting operations in respect of coal in the State of Madhya Pradesh in the area specified in the Schedule below:

SCHEDULE

Drawing No. Rev/151/61.

Sl. No.	P.C. No.	Name of Village	Village No.	District & Tahsil	Area	Remarks
1	2	3	4	5	6	7
1	23	Koreaumri (2)	77	Betul	} 20.76 Sq. Miles or 13,286.40 Acres	Part.
2	23	Chatarpur (3)	288	Betul		Part.
3	24	Solia (9)	657	Betul		Part.
4	23	Begrona (10)	453	Betul		Part.
5	26	Dhaser (11)	86	Betul		Part.
6	25	Gogri (12)	183	Betul		Full.
7	25	Pathakhera (13)	124	Betul		Part.
8	25	Bikrampur (14)	496	Betul		Full.
9	25	Mordingri (15)	566	Betul		Part.
10	26	Bakur (18)	476	Betul		Part.
11	25	Kolegaon (20)	108	Betul		Part.
12		Ranipur R.F.	I Reserve Forest.	Betul		
13		Asir R.F.	„	Betul.		
Total					20.76 Sq. Miles or 13,286.40 Acres (Approximately).	

BOUNDARY DESCRIPTION

A-B line passes through villages Koreaumri, Chatarpur, Begrona, along the Eastern boundary of village Begrona, Southern boundary of village Sorapur, left bank of Towa nala, then through Towa nala and then along South Eastern boundary of village Bhamaikhapa and then through Asir R.F.

B-C line passes through Asir R.F. and Ranipur R.F.

C-D line passes through Ranipur R.F. and through villages Patakhera, Mordingri and Bakur.

D-E line passes through village Bakur and along the common boundary of villages Bikrampur and Royabari.

E-F line passes along the Southern boundary of villages Dhaser and Kolegaon.

F-G line passes through villages Kolegaon and Dhaser.

G-H line passes through villages Begrona and Solia.

H-A line passes through villages Solia and Koreaumri.

[No. C2-25(4)/61.]

New Delhi, the 23rd March 1962

S.O. 913.—In exercise of the powers conferred by sub-section (4) of section 17 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government, after consultation with the Government of the State of Maharashtra, hereby declares that no prospecting licence or mining lease shall be granted in respect of any land specified in the Schedule to the notification of the Government of India in the Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) S.O. No. 2764 dated the 15th November, 1961, and specified in the Schedule below:—

SCHEDULE

Sl. No.	Name of Villages	Tahsil	Mouza No.	District	Area in Acres	Remarks
1.	Pardi	Ramtek	213	Nagpur	1013.00	Whole.
2.	Etgaon	Ramtek	16	Nagpur	2089.00	Whole.
3.	Walni	Saoner	201	Nagpur	1265.00	Whole.
4.	Rohana	Saoner	193	Nagpur	772.00	Whole.
5.	Pota	Saoner	149	Nagpur	668.00	Whole.
6.	Ronala	Saoner	183	Nagpur	885.00	Whole.
7.	Dohegaon	Saoner	108	Nagpur	1051.00	Whole.
8.	Chadkapur	Saoner	71	Nagpur	1273.00	Whole.
9.	Silewara	Saoner	224	Nagpur	800.00	Whole.
10.	Chichouli	Saoner	77	Nagpur	815.00	Whole.
11.	Bhaneagaon	Saoner	168	Nagpur	1997.00	Whole.
12.	Bina	Saoner	156	Nagpur	1486.00	Whole.
13.	Thomasbari	Ramtek	147	Nagpur	1413.00	Whole.
14.	Hingna	Ramtek	389	Nagpur	1164.00	Whole.
15.	Singouri	Ramtek	364	Nagpur	809.00	Whole.
16.	Saholi	Ramtek	351	Nagpur	907.00	Whole.
17.	Dorli	Ramtek	142	Nagpur	1034.00	Whole.
18.	Baghora	Ramtek	330	Nagpur	1204.00	Whole.
19.	Ghatrohana	Ramtek	316	Nagpur	1985.00	Whole.
20.	Junikamtee	Ramtek	35	Nagpur	1082.00	Part.
TOTAL					23702.00 Acres. (Approximately)	

[F. No. C2-25(2)/61]

S.O. 914.—In exercise of the powers conferred by sub-section (4) of section 17 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government, after consultation with the Government of the State of Maharashtra hereby declares that no prospecting licence or mining lease shall be granted in respect of any land specified in the Schedule to the notification of the Government of India in the Ministry of Steel, Mines and Fuel (Department

of Mines and Fuel) S.O. No. 2763 dated the 15th November, 1961, and specified in the schedule below:—

SCHEDULE

Ser- ial No.	Name of Village	Tahsil	Mouza No.	District	Area in Acres	Remarks
1.	Parsodih . . .	Umrer	245	Nagpur	180.00	Part.
2.	Balgaon . . .	Umrer	306	Nagpur	476.00	Part.
3.	Baribhatari . . .	Umrer	317	Nagpur	606.00	Part.
4.	Kelamna . . .	Umrer	48	Nagpur	809.00	Part.
5.	Salaimahalgau . . .	Umrer	444	Nagpur	9.00	Part.
6.	Dhamangaon . . .	Umrer	212	Nagpur	358.00	Part.
7.	Khursapara . . .	Umrer	92	Nagpur	782.00	Part.
8.	Makardhorra . . .	Umrer	347	Nagpur	810.00	Part.
9.	Shirpur . . .	Umrer	470	Nagpur	1601.00	Full.
10.	Kotara . . .	Umrer	39	Nagpur	984.00	Full.
11.	Bapeshwar . . .	Umrer	426	Nagpur	740.00	Part.
12.	Hewati . . .	Umrer	573	Nagpur	13.00	Part.
13.	Ganpauli . . .	Umrer	109	Nagpur	379.00	Full.
14.	Udasha . . .	Umrer	29	Nagpur	37.00	Part.
15.	Baigaon . . .	Umrer	427	Nagpur	810.00	Full.
16.	Ghetrauli . . .	Umrer	124	Nagpur	550.00	Part.
17.	Senegaon . . .	Umrer	494	Nagpur	492.00	Full.
18.	Narsala . . .	Umrer	220	Nagpur	689.00	Full.
19.	Gangapur . . .	Umrer	112	Nagpur	604.00	Full.
20.	Umrerbareja . . .	Umrer	23	Nagpur	2070.00	Part.
21.	Harkoura . . .	Umrer	510	Nagpur	850.00	Part.
22.	Kanowa . . .	Umrer	51	Nagpur	1290.00	Full.
TOTAL					15130.00 (Acres)	
						(Approximately)

[File No. C2-25(3)/61.]

P. S. KRISHNAN, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 19th March 1962

S.O. 915.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Directorate of Marketing and Inspection (Class III posts) Recruitment Rules, 1960, namely:—

1. These rules may be called the Directorate of Marketing and Inspection (Class III posts) Recruitment (Amendment) Rules, 1962.

2. In the proviso to rule 4 of the Directorate of Marketing and Inspection (Class III posts) Recruitment Rules, 1960 (hereinafter referred to as the said rules), the words “unplaced persons” shall be omitted.

3. In the Schedule annexed to the said rules, under the heading "A. Head quarters—I. Non-Ministerial (Technical)", after item 13 and the entries relating thereto, the following item and entries may be inserted, namely :—

"14 Production Assistant—

Rs. 210-10-290-15-320-EB-15-425.	Section 30 post. years	24—A. (i) Essential : Degree of a recognised University. (ii) About 3 years' experience in editing, compiling and proof reading.	2 yrs.	50% by promotion : 50 % by direct recruitment. (In case departmental candidate is not considered suitable the vacancy in the promotion quota will be filled by direct recruitment.	Senior Proof Reader with 3 years service in the grade.	Not applicable"
General Central Services, Class III Non-gazetted Non-Ministerial.		Desirable. Familiarity with the production of reports pertaining to Agricultural Marketing and Publicity literature.				
		B. No.				

[No. F. 1-5/62-A.M.]

New Delhi, the 20th March 1962

S.O. 916.—The following draft of certain rules further to amend the Hides Grading and Marking Rules, 1937, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) is published as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration or after the 26th March, 1962.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Rules

1. These rules may be called the Hides Grading and Marking (Amendment) Rules, 1962.

2. In Rule 2 of the Hides Grading and Marking Rules, 1937 (hereinafter referred to as the said rules) for the word "Kids", the words "Kips" shall be substituted.

3. In Rules 4 and 5 of the said rules, for the figures and marks "¼" wherever they occur, the figures and letters "6 mm" shall be substituted.

4. In Schedule I to the said rules,—

(a) in the heading, for the word 'Kids', the word 'Kips' shall be substituted;

(b) in column 6 of the table against Grade 'A', for the figure and word "4 inches", the figures and letters "102 mm" shall be substituted;

(c) in Column 4 of the table against Grade 'B', for the figure and word "2 inches", the figures and letters "51 mm" shall be substituted;

(d) in Column 9 of the table against all the three Grades for the words and figure "beyond 4 inches", the words and figures "beyond 102 mm" shall be substituted;

(e) in Column 11 of the table, for the existing figures and words "60 lb. and over", "40 to 60 lb.", "25 to 40 lb.", and "under 25 lb.", the figures and words "27 Kg. and over", "18 to 27 Kg.", "11 to 18 Kg." and "under 11 Kg.", shall respectively be substituted;

(f) in Column 12, for the words 'Kids' occurring in the heading, the words "Kips", and for the figures and words "28 lb. and over", "18 to 28 lb.", "8 to 18 lb." and "under 8 lb.", the figures and words "13 Kg. and over", "8 to 13 Kg.", "4 to 8 Kg." and "under 4 Kg.", shall respectively be substituted;

(g) in the foot note at the end of the table, against mark ‡ for the figures and word "12 lb." occurring in two places, the figure and words "5 Kg." shall be substituted; and

(h) in the foot note at the end of the table, against mark § for the words "two inches", the figures and words "51 mm" shall be substituted.

[No. F. 17-1/62-AM.]

New Delhi, the 24th March 1962

S.O. 917.—In exercise of the powers, conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules further to amend the Wool Grading and Marking Rules, 1961, the same having been previously published as required by the said section, namely:—

1. (1) These rules may be called the Wool Grading and Marking (Amendment) Rules, 1962.
- (2) They shall come into force with effect from the 1st April, 1962.
2. In rule 6 of the Wool Grading and Marking Rules, 1961, for the figures, words and brackets "200 to 450 lb. (90·7 to 204·1 kg.)"; the figures and words "100 kg. to 200 kg." shall be substituted.

[No. F. 12-5/62-AM.]

S.O. 918.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules further to amend the Goat Hair Grading and Marking Rules, 1960, the same having been previously published as required by the said section, namely:—

1. (1) These rules may be called the Goat Hair Grading and Marking (Amendment) Rules, 1962.
- (2) They shall come into force with effect from the 1st April, 1962.
2. In the Goat Hair Grading and Marking Rules, 1960, in Schedules I to IV, for the figures and marks '4"', '3"' and '1½"', wherever they occur in column 3—'Length' and in column 4—'General characteristics', the figures and letters '100 mm.', '75 mm.' and '35 mm.' shall respectively be substituted.

[No. F. 12-5/62-AM(ii).]

S.O. 919.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules further to amend the Bristles Grading and Marking Rules, 1950, the same having been previously published as required by the said section, namely:—

1. (1) These rules may be called the Bristles Grading and Marking (Amendment) Rules, 1962.
- (2) They shall come into force with effect from the 1st April, 1962.
2. In rule 6 of the Bristles Grading and Marking Rules, 1950 (hereinafter referred to as the said rules),—
 - (a) in sub-rule (i), for the figure and word '2 inches', the figures and word '51 mm' shall be substituted;
 - (b) in sub-rule (ii), for the figures and word '20 lbs.', '5 lbs.' and '100 lbs.', the figures and word '10 kg.', '3 kg.' and '46 kg.' shall respectively be substituted;
 - (c) in sub-rules (iii) and (iv), for the figure and mark '5', the figures and word '127 mm' shall be substituted;
 - (d) in clause (a) of sub-rule (iv) and in sub-rule (v), for the figure and word '5 lbs.', the figure and word '3 kg.' shall be substituted.
3. In each of Schedules I to IX to the said rules,—
 - (a) for the entries in column 1 headed "Grade Designation" and in column 3 headed "Length", the following entries shall be substituted, namely:—

"159 mm and over (6½" and Over)

152 mm (6")

146 mm (5¾")

140 mm ($5\frac{1}{2}$ ")
 133 mm ($5\frac{1}{4}$ ")
 127 mm (5")
 121 mm ($4\frac{3}{4}$ ")
 114 mm ($4\frac{1}{2}$ ")
 108 mm ($4\frac{1}{4}$ ")
 102 mm (4")
 95 mm ($3\frac{3}{4}$ ")
 89 mm ($3\frac{1}{2}$ ")
 83 mm ($3\frac{1}{4}$ ")
 76 mm (3")
 70 mm ($2\frac{3}{4}$ ")
 64 mm ($2\frac{1}{2}$ ")
 57 mm ($2\frac{1}{4}$ ")
 51 mm (2")

Shorts and Riflings Less than 51 mm (Less than 2") ";

(b) in the foot notes, for the figures and marks ' $4\frac{1}{2}$ ' ' $4\frac{1}{4}$ ' ' 4 ' ' $3\frac{3}{4}$ ' ' $2\frac{3}{4}$ ' and ' $2\frac{1}{2}$ ' and ' 2 ' wherever they occur, the following figures and letters shall respectively be substituted, namely:—

'114 mm', '108 mm', '102 mm', '95 mm', '64 mm', '57 mm' and '51 mm'.

4. In Schedule X to the said rules, for the words "भारत की उत्पत्ति" the words 'भारिय उत्पाद' shall be substituted.

[No. F. 12-5/62-AM(iii).]

CORRIGENDUM

New Delhi, the 17th March 1962

S.O. 920.—In the notification of the Ministry of Food and Agriculture (Department of Agriculture) No. 17-3/61-AM dated the 25th of January, 1962, published as S. No. 352 on pages 340 to 344 of the Gazette of India, Part II Section 3(ii) dated the 3rd February, 1962.

1. In Schedules I, II and III, in the heading of Column 4, for the word "Other" read "ether".

2. In Schedule I, (a) Under Column 9 against item No. (3) for the existing word "materil", read "material" (b) Against item No. (5) after the word 'fermented' insert a Comma.

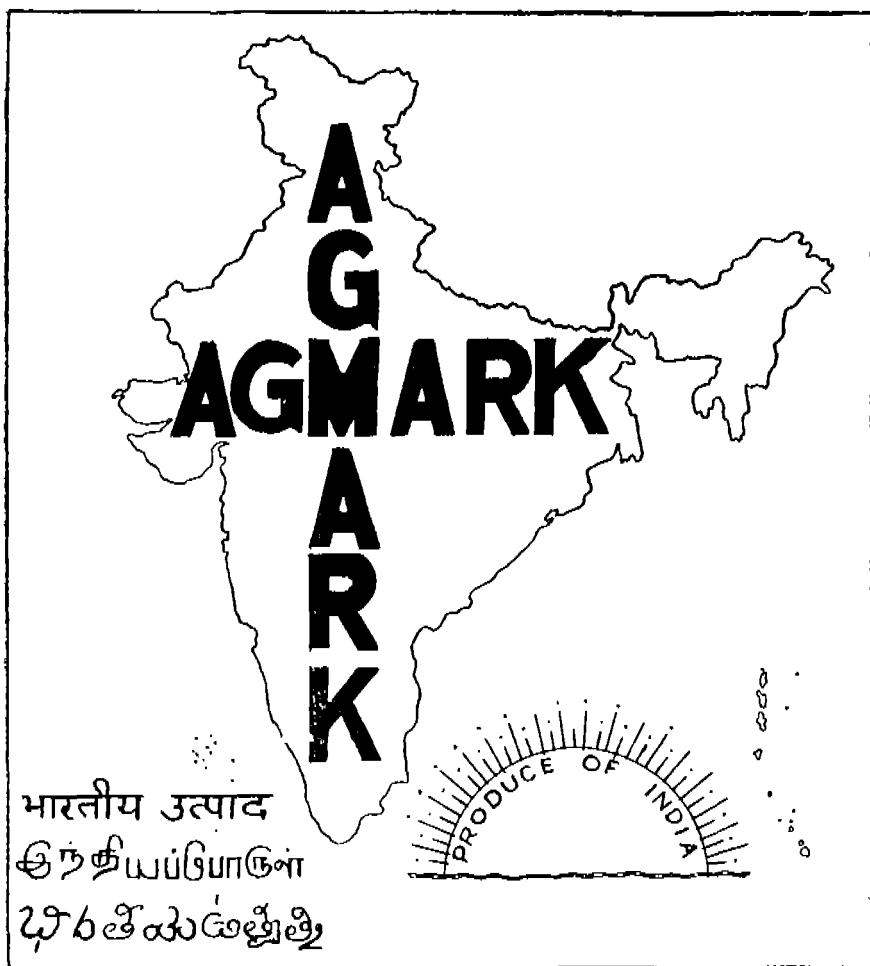
3. In Schedule III, (a) In the heading of Column 2 for "maximum" read "Maximum".

(b) Under Column 9, against item (2) for "materil" read "material".

(c) Against item (4) after the word 'fermented' insert a comma.

(d) In the foot note, for "oild" read "Oil".

4. In Schedule IV, the design shall be read as follows:—



[No. F. 17-3/61-AM.]

V. S. NIGAM, Under Secy.

(Department of Agriculture)

New Delhi, the 20th March 1962

S.O. 921.—In pursuance of sub-section (1) of section 4 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby

establishes, with effect from the 19th March, 1962, the Animal Welfare Board consisting of the following persons, namely:—

1. The Inspector-General of Forests, Government of India — *ex-officio*. ..
2. The Animal Husbandry Commissioner to the Government of India, *ex-officio*. ..
3. Shri V.S. Alwar, General Secretary, Indian Veterinary Association, Madras. Representative of the Indian Veterinary Association, Madras, elected by that Association under section 5(1)(c)
4. Col. B.N. Taneja, Principal, Maulana Azad Medical College, New Delhi. } Representatives of Practitioners of Modern and Indigenous Systems of Medicine nominated by the Central Government, under section 5 (1)(d).
5. Dr. C. Dwarka Nath, Adviser in Indigenous System of Medicine, Ministry of Health. }
6. Shri Jivraj Bhanji Shah, 12-Moiz Building, Keshavji Naik Road, Bombay-9. } Representatives of the Municipal Corporations of Bombay, Calcutta, Delhi and Ahmedabad, elected by each of the said Corporations under section 5(1)(e).
7. Dr. A. Makherjee, Health Officer, Corporation of Calcutta, Calcutta-3. }
8. Shri Amar Nath Chawla, Municipal Councillor, Town Hall, Delhi }
9. Shri Krishnavadan Shankerlal Joshi, Mandvi Pole, Devni Sheri, Jani Khancha, Ahmedabad-1. }
10. Mrs. Mehra D. Malegamwala C/o All India Animal Welfare Association, 16, Dadabhoy Manzil, Congress House, V.P. Road, Bombay-4. } Representatives of the All India Animal Welfare Association, Bombay and the Maharashtra Federation of Gaushalas and Pinjrapoles, Bombay, chosen by each of the said organisations under section 5(1)(f).
11. Shri S. P. Harkare, Manager, Poona Pinjrapole 9, Sadashiv Peth, Poona-2. }
12. Shri Dev Raj Narang, Vice President, Delhi Society for the Prevention of Cruelty to Animals, Delhi. } Presentatives of the Societies for the Prevention of Cruelty to Animals, Delhi Hyderabad and Patna, chosen by each of the societies under section 5(1)(g).
13. Shri Dorao Damodar Jetkar, Honorary Secretary, Society for the Prevention of Cruelty to Animals, Hyderabad. }
14. Shri Dharma Lal Singh, Honorary Secretary, State Society for Prevention of Cruelty to Animals, Bihar, Patna. }
15. Smt. Rukmini Devi Arundale Kala Kshetra, Adyar, Madras. } Nominated by the Central Government under section 5(1)(h).
16. Shri J.N. Mankar, C/o Bombay Humanitarian League, 149 Shroff Bazar, Bombay-2. }
17. Shri G.R. Rajagopaul, Member, Law Commission, Ministry of Law, New Delhi. }
18. Dr. Sushila Nayar, 1-Curzon Lane, New Delhi-1. } Members of the House of the People elected by that House under section 5(1)(i).
19. Shri Ram Garib, 24, South Avenue, New Delhi-11. }
20. Shri N.R.M. Swami, 6-Constitution House, New Delhi-1. }
21. Shri A.M. Tariq, 313, Vinay Marg, New Delhi-21. }
22. Shri S.C. Deb, 59-North Avenue, New Delhi. } Members of the Council of States elected by that Council under section 5(1)(i).
23. Shri N.R. Malkani, 115-B, North Avenue, New Delhi. }

2. In pursuance of sub-section (3) of section 5 of the said Act, the Central Government hereby nominates Smt. Rukmini Devi Arundale to be the Chairman of the Animal Welfare Board.

3. In pursuance of sub-section (1) of section 7 of the said Act, the Central Government hereby appoints the Deputy Secretary incharge of Livestock Development in the Ministry of Food and Agriculture, Department of Agriculture, to be the Secretary of the Animal Welfare Board.

[No. 9-1/61-LD.]

AMEER RAZA, Joint Secy.

(Department of Agriculture)
(Indian Council of Agricultural Research)

New Delhi, the 26th March 1962

S.O. 922.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Indian Oilseeds Committee Act, 1946 (No. 9 of 1946), the Central Government is pleased to appoint Shri G. R. Kamat, I.C.S., Special Secretary to the Government of India, Ministry of Food & Agriculture (Department of Agriculture) and Vice-President, Indian Council of Agricultural Research, as President of the Indian Central Oilseeds Committee, with effect from the 15th March, 1962 (F.N.) *vice* Shri V. Shankar, I.C.S., resigned.

[No. 10-8/62-Com. II.]

S.O. 923.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Indian Coconut Committee Act, 1944 (No. 10 of 1944), the Central Government is pleased to appoint Shri G. R. Kamat, I.C.S., Special Secretary to the Government of India, Ministry of Food & Agriculture (Department of Agriculture) and Vice-President, Indian Council of Agricultural Research, as President of the Indian Central Coconut Committee, with effect from the 15th March, 1962 (F.N.) *vice* Shri V. Shankar, I.C.S., resigned.

[No. 10-8/62-Com. II.]

SANTOKH SINGH, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 20th March 1962

S.O. 924.—In pursuance of sub-section (3) of Section 6 of the Bombay Port Trust Act, 1879 (Bombay Act of 1879) it is hereby notified that in accordance with the provisions of sub-section (1) of section 13 of the said Act, Shri Devji Ratansey has been elected by the Indian Merchant's Chamber, Bombay, as the Chamber's representative on the Bombay Port Trust Board with effect from the 12th March 1962 *vice* Shri Pratapsinh Mathuradas resigned.

[No. 8-PG(24)/62.]

New Delhi, the 23rd March 1962

S.O. 925.—In pursuance of section 9 of the Madras Port Trust Act, 1905 (Madras Act II of 1905), the names of the following persons who have been elected as Trustees of the Port of Madras for a period of two years from the 1st April 1962 are hereby published for general information:—

Name of elected person	Constituency from which elected
Shri M.A. Thangappan	} Southern India Chamber of Commerce.
Shri C.K. Durairvelan	
Shri K. Govindan	} Madras Chamber of Commerce.
Shri M.M. Muthiah	
Shri A.R. Liddiard	} Hindustan Chamber of Commerce.
Shri D.W. Law	
Shri R.M. Dave	} Corporation of Madras.
Shri G. Rajarathnam	
Shri A.B. Ananthakrishnan	Indian National Steamship Owners' Association.

[No. 13-PG(64)/61.]

New Delhi, the 26th March 1962

S.O. 926.—In pursuance of the powers conferred by clause (1) of section 16A of the Calcutta Port Act, 1890 (Bengal Act III of 1890), the Central Government hereby appoints the following persons as Commissioners for the Port of Calcutta for a period of two years from the 1st April 1962:—

- | | |
|------------------------------|------------------------------|
| 1. Shri Makhan Chatterjee | } Representatives of Labour. |
| 2. Dr. (Mrs.) Maitreyee Bose | |

[No. 9-PG(105)/61.]

HARBANS SINGH, Under Secy.

(P. & T. Board)

New Delhi, the 20th March 1962

S.O. 927.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 1st of April, 1962, as the date on which the Measured Rate System will be introduced in Dindigul Telephone Exchange.

[No. 3(4) Dindigul/62/PHA.]

S.O. 928.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specifies the 1st of April, 1962 as the date on which the Measured Rate System will be introduced in Tuticorin Telephone Exchange.

[No. 3(5) Tuticorin/62/PHA.]

RAMA KANT,

Director of Telephones (E).

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS

New Delhi, the 23rd March 1962

S.O. 929.—In exercise of the powers conferred by sub-section (2) of section 1 of the Institutes of Technology Act, 1961 (59 of 1961), the Central Government hereby appoints the 1st day of April, 1962 as the date on which the said Act shall come into force.

[No. F. 24-35/61-T.6.]

G. K. CHANDIRAMANI, Jt. Secy.

MINISTRY OF IRRIGATION AND POWER

New Delhi, the 19th March 1962

S.O. 930.—In exercise of the powers conferred by the proviso to sub-section (4) of section 1 of the Electricity (Supply) Act, 1948 (54 of 1948) and in partial modification of Notification No. EL.II-301(7), dated the 28th March, 1961, the Central Government hereby further extends the period referred to in the said Notification upto and including the 31st day of March, 1967, in the case of all the Union territories, except Delhi.

[No. EL.II-1(6)/61.]

K. G. R. IYER, Dy. Secy.

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 27th March 1962

S.O. 931.—In pursuance of clause (c) of section 2 of the Terminal Tax on Railway Passengers Act, 1956 (69 of 1956), the Central Government hereby declares

the places of pilgrimage specified in the Schedule hereto annexed to be "notified places" for the purposes of the said Act.

2. This notification shall have effect on and from the 1st May, 1962.

THE SCHEDULE

1. Vindhyachal.
2. Mirzapur.

[No. F(X)II-57/TX-19/10-I.]

S.O. 932.—In exercise of the powers conferred by sub-section (1) of section 3 of the Terminal Tax on Railway Passengers Act, 1956 (69 of 1956), the Central Government hereby:

- (a) fixes the rates specified in column II of the Schedule annexed hereto as the rates at which terminal tax shall be levied in respect of every railway ticket on all passengers carried by railway from or to the notified places specified in Column I of the said Schedule,
- (b) directs that the aforesaid terminal tax shall be leviable with effect from 1st May, 1962.

THE SCHEDULE

I Name of notified places	II Rates of terminal tax per single ticket			
	Adult		Child between 3 and 12 years of age	
	For short distance passengers (41—150 miles, or 66—242 kilometres).	For long distance passengers (over 150 miles) or over 242 kilometres)	For short distance passengers (41—150 miles) or (66—242 kilometres)	For long distance passengers (over 150 miles) or (over 242 kilometres)
	nP.	nP.	nP.	nP.
Vindhyachal	Air-conditioned or I Class 37	40	19	20
Mirzapur	II Class 12	15	6	8
	III Class 6	10	3	5

Explanation: The terminal tax on a return ticket shall be double the rates fixed herein.

[No. F(X)II-57/TX-19/10-II.]

P. C. MATHEW,
Secretary, Railway Board.

MINISTRY OF REHABILITATION

New Delhi, the 14th March 1962

S.O. 933.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the State of Madhya Pradesh for public purpose being a purpose connection with the relief and rehabilitation of Displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires, the evacuee properties specified in the Schedule hereto annexed.

SCHEDULE

S. No.	Particulars of the properties	Name of the town and locality in which is situated	Name of evacuee with parentage
1	House No. 460	Ward No. 2, Ambha, Distt. Morena.	Shri Babu s/o Asghar Ali.
2	Khander	Tehsil Karera, Distt. Shivpuri	Shri Abdul Gafoor.
3	House No. 7/177	Tara Ganj, Laskhar, Gwalior	Shri Nanneykhan s/o Abdul Latif.

[No. 13(3)Comp. & Prop/61.]

M. J. SRIVASTAVA,
Settlement Commissioner & Ex-Officio, Under Secy.

DELHI DEVELOPMENT AUTHORITY

New Delhi, the 16th March 1962

S.O. 934.—In pursuance of the provisions of sub-section (4) of section 22 of the Delhi Development Act, 1957 the Delhi Development Authority has replaced at the disposal of the Central Government a piece of Nazul land described in the schedule below:—

SCHEDULE

A plot of land measuring 340 square yards bearing Kh. No. 63 situated in Darya Ganj, opposite Murti Devi Municipal Maternity Home, Delhi and bounded as follows:—

North: Nazul land
South: Road
East: Fasil (City wall)
West: Kothi No. 1.

[No. L. 2(4)60.]

R. K. VAISH, Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 17th March 1962

S.O. 935.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Churulia Colliery and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 70 OF 1961

PARTIES:

Employers in relation to the Churulia Colliery

AND

Their workmen.

PRESENT

Shri Salim M. Merchant, B.A. LL.B.,
Presiding Officer.

APPEARANCES:

Shri A. C. Nag, Manager, Churulia Colliery, *for the employers.*Shri J. Pathak, Organising Secretary, with Shri J. P. Singh, Chief Organising Secretary, Colliery Mazdoor Congress, *for the workmen.**Dhanbad, dated the 2nd March 1962*

INDUSTRY: Coal

STATE: West Bengal.

AWARD

The Government of India, Ministry of Labour & Employment, by Order No. 2/153/61-LRII dated the 8th September 1961, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47), was pleased to refer the industrial dispute between the parties above named in respect of the subject matters specified in the following schedule to the said order to me for adjudication.

SCHEDULE

"Whether the management were correct in terminating the services of Messrs. Ramcharan Gope, Ganesh Paharia and Saheb Roy from 10th April 1961 and Messrs. Bhola Dome, Raman Dome, Ladoo and Haridas Muchi from December 1961? If not, to what relief are they entitled?"

2. After the parties had filed their written statements, this dispute was fixed for hearing at Dhanbad on 1st March 1962 and after some discussion the parties herein filed a joint application recording the terms of settlement reached between them in this dispute and have prayed that an award be made in terms thereof. A copy of the said application is annexed hereto and marked Annexure 'A'. As I am satisfied that the terms of settlement are fair and reasonable, I make an award in terms thereof to the extent that they cover the subject matter of this reference. The said application of parties shall form part of this award.

(Sd.) SALIM M. MERCHANT,
Presiding Officer,

Central Government Industrial Tribunal, Dhanbad.

DHANBAD,

The 2nd March 1962.

ANNEXURE "A"

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT
DHANBAD

REFERENCE No. 70 OF 1961

PARTIES:

Employers in relation to the Churulia Colliery

AND

Their workmen.

May it please the Tribunal:

We the parties to the above dispute have arrived at the following settlement in respect of the subject matters of this dispute and pray that an award be made in terms thereof:

(1) It is agreed that the management will reinstate the following six workmen in their former posts shown against their names on their reporting for duty by 5th March 1962. The six workmen are:

- (i) Ramcharan Gope, Miner
- (ii) Saheb Roy, Miner

- (iii) Bhola Dome, Miner
- (iv) Raman Dome, Miner
- (v) Ladoo, Tramminer
- (vi) Haridas Muchi, Tramminer.

It is agreed that all these workmen will be reinstated in service with the benefit of continuity of their past services and the absence from work of Ramcharan Gope, Miner, and Saheb Roy, Miner, from 10th April 1961 and of Bhola Dome, Miner, Raman Dome, Miner, Ladoo, Tramminer, and Haridas Muchi, Tramminer from December 1960 will be treated as on leave without pay.

It is further agreed that the management shall pay each of the above named six dismissed workmen compensation of Rs. 200/- each in the following manner.

Rs. 100/- to each by 15th March 1962 and the balance of Rs. 100/- by 1st April 1962.

With regard to Ganesh Paharia, Miner, it is agreed that on his giving up his claim for reinstatement he will be treated as retrenched from service and shall be paid the total sum of Rs. 1875/- (eighteen hundred and seventy-five rupees) by 1st May 1962 in full payment of retrenchment compensation and the claim which he has made to the Commissioner, Workmen's Compensation of West Bengal and he hereby agrees to withdraw that claim.

The company shall pay Rs. 50/- as costs of this reference to the union by 15th March 1962.

All payments to the workmen above named will be made by the management in the presence of the representatives of the union.

The parties pray that the Tribunal may be pleased to make an award in terms of this settlement.

Dhanbad, this the first day of March 1962.

For the Employers:

A. C. NAG,
Manager,
Churulia Colliery,
duly authorised.

For the workmen:

J. PATHAK,
Organising Secretary,
Colliery Mazdoor Congress.

Left Thumb Impression of:

1. Ramcharan Gope,
 2. Saheb Roy.
 3. Bhola Dome,
- put their L.T.I. in my presence.

J. P. SINGH,
Chief Organising Secretary,
Colliery Mazdoor Congress.

4. Raman Dome.
 - 5.
 6. Haridas Muchi.
- Sd./- Ganesh Paharia.

Explained in Hindi to the 6 workmen who have

Before me

Sd./- SALIM M. MERCHANT,

Presiding Officer,
Central Government Industrial Tribunal, Dhanbad.

[No. 2/153/61-LRII.]

S.O. 936.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of application under Section 33A of the said Act from Shri Ramdas, Miner, and nine others, C/o Post Office Jhagrakhand Colliery, District Surguja, Madhya Pradesh.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

APPLICATION No. 3 OF 1962

(arising out of Reference No. 73 of 1961)

Re: In the matter of a complaint under Section 33A of the Industrial Disputes Act, 1947 (XIV of 47)

PARTIES:

- | | | |
|---|---|---------------|
| 1. Ramdas S/o Sakharam, Miner | } | complainants. |
| 2. Ratandas S/o Aboudhram, Miner | | |
| 3. Budhram S/o Paranoo, Miner | | |
| 4. Kolayan S/o Ramdayal, Miner | | |
| 5. Eathwari S/o Bismar, Miner | | |
| 6. Kirt S/o Bharash, Miner | | |
| 7. Chain Singh S/o Pilababoo, Miner | | |
| 8. Jagannath S/o Gurhalram, T. Mistry | | |
| 9. Daduwal S/o Banadhary, U. G. Trammer | | |
| 10. Iswardin S/o Sankar, Fitter Helper. | | |

P.O. Jhagrakhand Colliery, Dist. Surguja, Madhyā Pradesh.

C/o

Vs.

Manager, North Jhagrakhand Colliery, P.O. Jhagrakhand Colliery, Dt. Surguja,
Madhya Pradesh. Opposite party.

PRESENT

Shri Salim M. Merchant, B.A. LL.B.,
Presiding Officer.

APPEARANCES:

Shri D. Sen Gupta, Advocate, with Shri B. Borral, General Secretary, Azad Kolla Shramik Sabha, *for the complainants.*

Shri T. Bhattacharya, Manager, with Shri G. R. Bhandari, Labour Welfare Officer, *for the opposite party.*

STATE: Madhya Pradesh.

INDUSTRY: Coal.

Dhanbad, dated the 3rd March 1962

AWARD

This is a complaint purporting to be under Section 33A of the Industrial Disputes Act, 1947 and has been filed against the alleged dismissal of the applicants from the service of the opposite party during the pendency of the industrial dispute in Reference No. 73 of 1961 before this Tribunal in which they are workmen concerned. This dispute was taken up for hearing at Calcutta on 26th February 1962, and on 28th February, 1962 the parties filed a joint application before this Tribunal recording the settlement reached between them. A copy of the said application is annexed hereto and marked Annexure 'A'.

2. Under the settlement, the applications on behalf of the applicants Nos. 1 to 7 in this complaint are not pressed as a settlement has been reached as recorded in Application Nos. 52, 47, 50, 49, 48, 57 and 46 of 1961, respectively filed by the opposite party against them under Section 33(2)(b) and 33(3)(b) of the Industrial Disputes Act, 1947.

3. In the result, the applications herein of applicants Nos. 1 to 7 are disposed of as not pressed.

4. With regard to Applicant No. 8, Shri Jagannath S/o Gurhalram, Timber Mistry, his application is withdrawn as it is not maintainable under Section 33A of the Act. But the Manager of the colliery has been good enough to state that if by 1st April, 1962 he obtains a fit certificate from the Regional Hospital, Dhanpuri, certifying him fit enough to do the work of Timber Mistry he will be reinstated in service as Timber Mistry, without break in service for the period from 3rd May, 1961 till he resumes duty which period will be considered as sick leave without pay.

5. With regard to the applicant No. 9, Shri Daduwal S/o Banadhary, Underground Trammer, it is agreed that the management will employ him as a wagon loader on his reporting himself for duty by 10th March 1962 with the benefit of continuity of past service, the period of absence from 23rd October, 1961 till he reports for service as wagon loader will be treated as leave without pay and I direct accordingly.

6. With regard to Applicant No. 10, Shri Iswardin S/o Sankar, Fitter Helper, the union withdraws the application as it is not maintainable under Section 33A, as his dismissal took place on 29th August, 1961 prior to the date of reference by Government on 25th September, 1961 in Reference No. 73 of 1961 by Order No. 4/38/61-LR.II. The union, however, will be at liberty to pursue such other legal remedies as may be open to Iswardin.

7. In the result, this complaint is disposed of in terms of the joint application of the parties dated 28th February, 1962, a copy of which is enclosed herewith and which shall form part of this award.

8. No order as to costs.

Sd./- SALIM M. MERCHANT,

Presiding Officer,

Central Government Industrial Tribunal, Dhanbad.

DHANBAD,

The 3rd March, 1962.

ANNEXURE "A"

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

Application No. 3 of 1962 under section 33A of the Industrial Disputes Act, 1947

in Reference No. 73 of 1961.

1. Ramdas S/o Sakharam, Miner
2. Ratandas S/o Aboudhram, Miner
3. Budhram S/o Paranoo, Miner
4. Kolayan S/o Ramdayal, Miner
5. Eathwari S/o Bilsram, Miner
6. Kirit S/o Bharash, Miner
7. Chain Singh S/o Pilababoo, Miner
8. Jagannath S/o Gurhalram, T. Mistry
9. Daduwal S/o Banadhary, U.G. Trammer
10. Iswardin S/o Sankar, Fitter Helper.

} Applicants.

Versus

Manager, Jhagrakhand Colliery.

Opposite Party.

May it please the Tribunal,

The applicants Nos. 1 to 7 above named do not press this application as settlement has been reached as recorded in applications Nos. 52, 47, 50, 49, 48, 57 and 46 of 1961 respectively filed by the opposite party under section 33 of the Industrial Disputes Act.

With regard to applicant No. 8 Shri Jagannath son of Gurhalram, Timber Mistry, his application is withdrawn as not maintainable under section 33A of the Act. But the Manager of the Colliery has been good enough to state that if by 1st April, 1962 he obtains a fit certificate from the Regional Hospital, Dhanpuri, certifying him as fit to do the work of Timber Mistry he will be reinstated in service as Timber Mistry without break in service for the period from 3rd May, 1961 till he resumes duty which period will be considered as sick leave without pay.

With regard to applicant No. 9 Shri Daduwal S/o Banadhary, underground trammer, the management will employ him as a wagon loader on his reporting himself for duty by 10th March, 1962 with the benefit of continuity of post service, the period of absence from 23rd October, 1961 till he reports for service as wagon loader to be treated as leave without pay.

With regard to applicant No. 10 Iswardin S/o Sankar, Fitter Helper, the union withdraws the application as it is not maintainable under section 33A, his dismissal having taken place on 29th August, 1961 prior to the date of the reference by Government on 25th September, 1961 in Reference No. 73 of 1961 by Order No.

4/38/61-LRII. The union will be at liberty to pursue such other legal remedies as may be open to Iswardin.

Parties therefore pray that this Tribunal may be pleased to dispose of these complaints in terms recorded above.

Dated at Calcutta the 28th day of February 1962.

For the applicants.

T. Bhattacharya.
28-2-62.

G. R. Bhandari.
28-2-62.

For the opposite party.

D. Sen Gupta,
Advocate
28-2-62.
B. Borral.
28-2-62.
Genl. Secy.
A.K.S.S.

Before me

Sd./- SALIM M. MERCHANT,
28-2-62.

Presiding Officer,
Central Government Industrial Tribunal, Dhanbad.

[No. 4/38/61-LRII.]

S.O. 937.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the China Clay (Kaolin) Quarry of Standard Mercantile Company, Rajmahal, and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL DHANBAD.

REFERENCE NO. 86 OF 1961

PARTIES:

Employers in relation to the China Clay (Kaolin) Quarry of Standard Mercantile Company, Rajmahal,

AND

Their workmen.

PRESENT

Shri Salim M. Merchant, B.A. LL.B.,
Presiding Officer.

APPEARANCES:

Shri D. Narsingh, Advocate, instructed by Shri Rup Narain Singh, General Secretary, Standard Mercantile Company Workers Union.

No appearance for the management.

STATE: Bihar.

INDUSTRY: China clay

Dhanbad, dated the 5th March 1962

AWARD

The Government of India. Ministry of Labour & Employment, by its Order No. 23/59/61-LRII dated the 7th December, 1961, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47), was pleased to refer the industrial dispute between the parties above named in respect of the subject matters specified in the following schedule to the said order for adjudication to me.

SCHEDULE

"Whether the retrenchment of 170 workers employed in the China Clay (Kaolin) Quarry of Messrs. Standard Mercantile Company, Rajmahal, in the month of June 1961 was justified and in order? If not, to what relief they are entitled?"

2. After the reference was made no statement of claims were filed either by the employers or by the workmen, but an application dated 26th December, 1961 from the representative of the Standard Mercantile Company, Chandragupta Path, Patna, 1, was received by the Tribunal enclosing a copy of the memorandum of settlement arrived at by mutual agreement between the management and the Standard Mercantile Company Workers Union on 22nd December, 1961 and praying that an award be made in terms of the agreement reached between the parties. The memorandum of settlement recites that the matter could not be discussed between the union and the management as the management had failed to attend the conciliation proceedings on 6th October, 1961 before the Conciliation Officer (Central) at Pakur, but now both the parties viz. the representatives of the employers and the workmen had settled the dispute. The terms of agreement state that the 170 retrenched workmen should be immediately reinstated and that they should report for duty from 1st January, 1962; that there would be no break in the service records of the workers who report for duty; the workmen who have put in 26 days attendance prior to the date of their retrenchment would be paid one week's wages as compensation in lieu of idleness caused to them. A copy of the memorandum of settlement is annexed hereto and marked Annexure 'A'.

3. Upon receipt of the above said joint application the parties were intimated to appear before this Tribunal on 5th March, 1962, when the compromise petition would be considered. Notices of this hearing were sent to the parties by registered post and have been acknowledged by both the company and the union.

4. At today's hearing no one appeared on behalf of the company but Shri Rup Narain Singh, General Secretary of the Union appeared along with Shri D. Narsingh, Advocate, and stated that the dispute had been settled in terms of the memorandum of settlement sent to this Tribunal by the company's letter dated 26th December 1961 and he prayed that an award be made in thereof.

5. As the dispute appears to have been settled and all the 170 workers whose retrenchment formed the subject matter of this dispute appear to have been taken in service, there is no reason for not accepting the settlement reached between the parties. I, therefore, make an award in terms of the settlement reached between the parties.

6. Shri Narsingh, Advocate, appearing for the union has applied that a provision may be made for costs, as the workmen's representatives were required to attend these proceedings. As the union's representative appeared at today's hearing, I make an order for costs of Rs. 25/- in favour of the union. The management will pay this amount within 7 days of this award becoming enforceable.

DHANBAD,
The 5th March, 1962.

Sd./- SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal, Dhanbad.

ANNEXURE "A"

Memorandum of Settlement arrived at, by mutual agreement in between the Management of the Standard Mercantile Company and the Standard Mercantile Workers' Union, Rajmahal, held on 22nd December, 1961.

Representing the Management

(Name of parties present) ... Sri N. Prasad

Representing the Union

(Name of parties present) ... Sri Rup Narain Singh, Secretary.

As the management failed to attend the Conciliation proceeding on the 6th October, 1961 before the Conciliation Officer Central, Pakur, the matter could not be effectively discussed. But now both the parties viz. the representative of the employer Sri N. Prasad, the rep. of the workmen Shri Rup N. Singh, General Secretary, Standard Mercantile Workers' Union, Rajmahal wants to settle up the dispute amicably on the following terms:—

Terms of Agreement

1. The 170 Workmen who have been retrenched should be immediately re-instated. The said workmen should report for duty by 1st January, 1962.
2. There should not be break in the service record of workers who report for duty.

3. Workmen who have put in 26 days attendance prior to the date of their retrenchment will be paid one week's wages as compensation in lieu of idleness caused to them.

Sd./- RUP NARAIN SINGH,

Workers' Representative

Witnesses:

Sd./- in Hindi: Gangaram Mayti.

Sd./- in Hindi: Ansari.

Sd./- N. PRASAD, 22-12-61.

Management Representative

Witnesses:

Sd./- Illegible

Sd./- Illegible

[No. 23/59/61-LRII.]

New Delhi, the 19th March 1962

S.O. 938.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under Section 33A of the said Act from Shri Girija Shankar Singh and 4 others, Munshis of Ashakuty/Phularitand Colliery, Post Office Kharkaree, District Dhanbad.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

APPLICATION No. 102 OF 1960

(Arising out of Reference No. 27 of 1960)

Re: In the matter of a complaint under Section 33A of the Industrial Disputes Act, 1947 (XIV of 47).

PARTIES:

- | | | |
|-------------------------|---|----------------------|
| 1. Girija Shankar Singh | } | <i>Complainants.</i> |
| 2. Rambhais Singh | | |
| 3. Ambika Singh | | |
| 4. Sreekar Tiwari | | |
| 5. Tribeni Singh | | |

— Munshis of

Ashakuty/Phularitand Colliery, P.O. Kharkaree, Dt. Dhanbad.

Vs.

The Agent, Ashakuty/Phularitand Colliery, P.O. Kharkaree, Dt. Dhanbad—
Opposite party.

PRESENT:

Shri Salim M. Merchant, B.A. LL.B.,
Presiding Officer.

APPEARANCES:

Shri Lalit Burman, Secretary, Bihar Koyla Mazdoor Sabha, *for the complainants.*

Shri M. R. Banerjee, Agent, Ashakuty/Phularitand Colliery, *for the opposite party.*

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 5th March 1962

AWARD

This is a complaint purporting to be under Section 33A of the Industrial Disputes Act, 1947 (XIV of 47) and was directed against the retrenchment of the five workmen above mentioned.

2. Of the five complainants, Ambika Singh has already taken his dues from the opposite party and he has no interest in prosecuting this complaint. At the hearing of this complaint before me on 5th March 1962 the parties have filed a joint application recording that the opposite party has agreed to make payments of retrenchment compensation and their other legal dues to the complainants in the presence of Shri Lalit Burman within 15 days from to-day (5th March 1962). Upon this undertaking the complainants do not press the complaint which they desire to withdraw. This complaint is therefore disposed of as withdrawn in terms of the settlement recorded in the joint application of the parties dated 5th March 1962.

A copy of the said application is enclosed herewith and marked Annexure 'A' and it shall form part of this award.

3. No order as to costs.

Sd./- SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal, Dhanbad.

DHANBAD,
The 5th March 1962.

ANNEXURE 'A'

BEFORE THE CENTRAL GOVT.'S INDUSTRIAL TRIBUNAL AT DHANBAD

Application No. 102 of 1960 (U/S. 33A)

IN REFERENCE No. 27 OF 1960.

Girija Shankar Singh & 4 Others ... Applicants.

Versus

The Agent, Ashakuty/Phularitand Colliery. ... Opp. Party.

This humble petition on behalf of the parties.

Most Respectfully Sheweth:—

1. That the applicants are now agreeable to take their respective retrenchment compensations on their services as mentioned below:

Name	Service Period
1. Girija Shankar Singh	14 years
2. Sreekar Tewary	14 years
3. Tribeni Singh	13 years
4. Rambilas Singh	13 years

Shri Ambika Singh has already taken his dues.

2. That the Opp. party undertakes to make payments of the retrenchment compensation and other legal dues to the applicants in the presence of Sri Lalit Burman within 15 (fifteen) days from date.

3. That the applicants do not press the application and it is hereby withdrawn.

It is, therefore, prayed that the Hon'ble Tribunal may be pleased to dispose of the matter accordingly.

Dated the 5th March, 1962.

For the Opp. party.

M. F. BANERJEE,

Agent

Ashakuty/Phularitand Colliery.

5-3-62.

For the Applicants.

LALIT BURMAN,

Secretary.

Bihar Koyla Mazdoor Sabha.

5-3-62.

त्रिवेणीसिंह

गिरिजाशंकरसिंह

Sreekar Tiwary & Rambilash Singh

are not present.

(Sd.) L. BURMAN,
Taken on file

Sd./- SALIM M. MERCHANT,

Presiding Officer,

Central Govt. Industrial Tribunal,
Dhanbad.

5-3-62.

[No. 1/87/59-LRII.]

New Delhi, the 24th March 1962

S.O. 939.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following arbitration award of Shri L. P. Dave, Presiding Officer, Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Bengal

Jharia Colliery (inclusive of Sree Commercial Colliery) and their workmen (represented by the Colliery Mazdoor Sangh, Tisra Branch, and the Koyala Mazdoor Panchayat, Jharia).

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: CALCUTTA.

REFERENCE No. 24 of 1962.

PARTIES:

Employers in relation to Bengal Jharia Colliery (inclusive of Sree Commercial Colliery)

AND

Their workmen

(represented by the Colliery Mazdoor Sangh, Tisra Branch, and the Koyala Mazdoor Panchayat, Jharia).

PRESENT:

Shri L. P. Dave—Arbitrator.

APPEARANCES:

For the Employers Shri S. S. Mukherjee, Advocate.
Shri D. Narsingh, Advocate.

For the Workmen Shri Shankar Bose on behalf of Colliery Mazdoor Sangh.
Shri Mahesh Desai } on behalf of
Shri Hari Bans Singh { Koyala Mazdoor Panchayat.

STATE: Bihar.

INDUSTRY: Coal Mines.

AWARD

An Industrial dispute arose between the employers in relation to Bengal Jharia Colliery (inclusive of Sree Commercial Colliery) and their workmen represented by the Colliery Mazdoor Sangh, Tisra Branch and the Koyala Mazdoor Panchayat, Jharia (hereinafter referred to as the Unions). The said employers and the said Unions entered into an Arbitration agreement on 19th January 1962 under Section 10-A of the Industrial Disputes Act and agreed to refer the following matters to my arbitration:

1. Necessity of retrenchment of workmen at Bengal Jharia Colliery (inclusive of Sree Commercial Colliery).
2. The extent to which such retrenchment is necessary.
3. Relief to which the workmen in the event of retrenchment are entitled.

The said agreement was sent to the Central Government, who published it in the Official Gazette in pursuance of Sub-Section (3) of Section 10-A of the Industrial Disputes Act.

2. The facts of the present case are not much in dispute. The Bengal Jharia Colliery owned by the Bengal Jharia Coal Co. (Private) Ltd. and the Sree Commercial Colliery owned by East Madhuban Coal Co. (Private) Ltd. are contiguous. Both collieries were extracting coal for quite a long time. So far as the Bengal Jharia Colliery is concerned, they had developed several seams; even depillaring had been completed in some seams while depillaring was going on in some. A portion had collapsed and became water logged. Other areas were yet to be developed. They had however no direct approach to some areas from their own colliery, but they could have an approach through Pit No. 1 of Sree Commercial Colliery. Sree Commercial Colliery had completed development in some seams; but depillaring was permitted by the authorities only in a small portion because of goaf etc. It was uneconomic for them to make further development in certain areas because of water and dykes. It was developing some sections through an incline, but the distance between the incline and the siding was very much and hence working of this seam was also uneconomic. It had also no direct access to certain areas and if they wanted to develop those areas, they would have been required to open a fresh pit or incline, which would have been an expensive matter.

3. It is said that the Sree Commercial Colliery was already running at loss and would have been required to close down almost immediately; while the Bengal Jharia Colliery also might have been required to close later on. In any

case, both the collieries had difficulties in their working. They, therefore, felt that amalgamation of the two collieries was of advantage to both. For instance, the Bengal Jharia Colliery could not work the top section of 7 seam because they had no direct access to it and if they wanted to develop it, they would have been required to open a pit, but by the amalgamation they could work the seam through Pit No. 1 of the Sree Commercial Colliery. Similarly, the Sree Commercial Colliery could not have worked seams 1 to 6, because of want of access and would have been required to open a pit if they wanted to work them; but by amalgamation they could work these seams through the pits of the Bengal Jharia Colliery. The amalgamation had also another advantage to both collieries. Under law each colliery has to leave a barrier (margin land) of 25 ft. In other words, if the two collieries work separately, a barrier of 50 ft. would be left out and so much coal would have been lost to the two collieries, which, I was told, would have come to about 11 lakhs of tons of coal. This was another reason which prompted the two collieries to a voluntary amalgamation.

4. The Government have also recognised the disadvantages of working small collieries and it is their policy to induce small collieries to amalgamate into larger ones. A voluntary amalgamation Committee has been appointed by the Government of India for this purpose. The idea is that as much coal as possible might be extracted, thereby saving wastage of coal not only to the owners but also to the nation. The other idea also is that working would be more economic and mining difficulties could be avoided in many cases.

5. After amalgamation, the process of reorganisation was started. It was decided to stop all the mining operations including pumping in Pit No. 2 of the Sree Commercial Colliery and also to stop the working of 7 seam bottom incline. The two collieries having been reorganised as single unit, they decided to reduce the number of pits. They also decided to stop pumping in certain sections because they decided to close working in those sections. Further, as a result of the amalgamation of two collieries, certain staff became surplus because duplication was avoided. As a result, the collieries found that certain workmen would become surplus and should be retrenched. They thereupon decided to give them notices. A notice is said to have been sent to them on 6th January 1962. It is not clear whether notices were actually served or not on all workmen. On 8th January 1962, the workmen stopped work. (The employers call it a strike while the Unions say that it was a lockout. For the purposes of this arbitration, it is not necessary to consider whether it was a strike or a lockout). As a result of the stoppage of work, the Regional Labour Commissioner, Dhanbad, held discussions with the employers and with the Unions. After long discussions, a settlement was arrived at between them on 15th January 1962. Thereunder it was agreed that the parties would discuss mutually with regard to the retrenchment notices intended to be served on the workmen and would try to resolve the dispute within a week and if they failed to do so, the dispute would be referred to arbitration. The Management also agreed not to give effect to the notice during the period of negotiations and arbitration. It appears that thereafter discussions were held between the parties about the retrenchment notices, but they could not resolve the dispute. Ultimately on 19th January, 1962, they entered into an agreement to refer the dispute to my arbitration.

6. Three points have been referred to me. The first is about the necessity of retrenchment of workmen at Bengal Jharia Colliery (inclusive of Sree Commercial Colliery); the second is regarding the extent to which such retrenchment is necessary and the third and last is regarding the relief to which the workmen in the event of retrenchment are entitled.

7. Taking the first question, I do not think there can be any doubt that a retrenchment of workmen is necessary. As a matter of fact, Shri Desai and Shri Shankar Bose who appeared before me on behalf of the workmen did not seriously challenge the necessity of retrenchment. They conceded that retrenchment of certain workmen was necessary as a result of the amalgamation and reorganisation of the two collieries. For instance, it was conceded that in view of the fact that only two pits are to be worked now and the other pits and inclines are to be closed, certain Banksmen, Onsetters and Winding Engine Khalasis would become surplus. Similarly as boilers were reduced, some firemen would become surplus.

8. It was also conceded before me that amalgamation was both necessary and desirable. Both the collieries were small ones and were uneconomic. Apart from this, a large amount of coal would have been lost in the barriers but for the amalgamation. Shri Srinivasan who was working as the Manager of the Sree Commercial Colliery and who is now working as Assistant Manager of the amalgamated colliery has been examined as a witness by the employers. In his deposition, he has given reasons for the amalgamation. He holds a first class Mines

Manager's Certificate and is an expert in this matter and his deposition would carry weight at least on the question of the necessity of retrenchment. After hearing parties, I am satisfied from his evidences and also from the facts stated before me that retrenchment is necessary.

9. Before I come to the second point referred to me, I may mention that in the written statement of the workmen, it had been contended that no notice in the prescribed manner was served upon the appropriate Government as required by Section 25-F Sub-section (c) of the Industrial Disputes Act. This Sub-section requires that 'no workman should be retrenched until notice in the prescribed manner is served on the appropriate Government. Rule 76 of the Industrial Disputes (Central) Rules lays down that if any employer desires to retrench any workman, he shall give notice of such retrenchment as in Form P to the Central Government and such notice shall be served on that Government by registered post. In other words, a notice in Form P of the Industrial Disputes (Central) Rules would have to be sent by registered post to the Central Government before enacting retrenchment. Such a notice has actually been given as stated by Sri Srinivasan in his deposition. A copy thereof has also been produced before me. It has been sent by Registered post to the Secretary to the Government and also to the Regional Labour Commissioner and the Conciliation Officer.

10. It was however argued that no notice had been given to the Unions. The above section does not contemplate giving of a notice to the Unions. A reference was made by Shri Shankar Bose in this connection to the proviso to Rule 34, which requires notice to be served on the Secretary of a registered Trade Union. This rule however is regarding giving of notices of change. A notice would have to be given to the Unions when the employers propose to make a change in the service conditions; but no such notice is required to be given (to the Unions) in the case of proposed retrenchment. Actually Form P given in the Industrial rules does not show that a copy has to be sent to the Unions as Form E of notice to be given under rule 34 shows. In my opinion, no notice was necessary to the Unions and retrenchment can not be said to be illegal on that ground.

11. This brings me to the second question referred to me and it is about the extent of retrenchment. It appears that originally the employers intended to retrench 109 workmen as appears from their letter written by them to the Regional Labour Commissioner on 8th January, 1962.

12. In the notice sent to the Government on 10th January, 1962, they mentioned that they wanted to retrench 108 workmen; but this appears to have been a mistake. The number of persons proposed to be retrenched is shown category-wise in column 3 of para 3 of this letter. Their total comes to 112. In the agreement arrived at on 15th January, 1962, it has been mentioned that notices of retrenchment were intended to be served on 109 workmen. In the arbitration agreement dated 19th January, 1962, it is mentioned that the estimated number of workmen likely to be affected by the dispute was 130. In para 11 of their written statement, the employers have said that the number of workmen sought to be retrenched is 130 only. In para 13 of the Union's written statement, it has been said that the contents of para 11 of the statement are substantially correct.

13. In Annexure B, Column 3, of the employers written statement, they have given details of the workmen to be retrenched categorywise. The total number is 114. In addition, the employers wanted to terminate services of 16 persons who had less than one year's service. In this annexure, it has also been said that 10 persons out of the persons proposed to be retrenched had voluntarily received retrenchment compensation and left the colliery. In addition 48 persons had resigned and had been paid payments as if they were retrenched. Thus on the day when the written statement was filed, out of 130 persons who were said to have become surplus and were proposed to be retrenched, 58 had left and the necessity of actual retrenchment had come to 72 persons. It appears that after the written statement of the employers was filed, some workmen who were proposed to be retrenched voluntarily accepted retrenchment compensation and some more though not proposed to be retrenched voluntarily resigned and were paid compensation as if they were retrenched. At my instance, the employers filed on 1st March, 1962, a statement showing (i) the number of persons on their roll on 27th February, 1962, (ii) number of persons required by them, and (iii) number of persons required to be retrenched (now). According to this statement, though originally persons from 22 categories were shown as required to be retrenched, there is now no necessity of retrenching persons from 8 categories, as the number they have now got in those categories is not more than the number of persons actually required by them. Further, at the time of arguments, the employers also

said that the three attendance clerks shown in category 17 of their above list as proposed to be retrenched would be absorbed by them as Munshis or in some other similar category. It means that I am now left to consider the necessity and extent of retrenchment of only 13 categories of workmen.

14. The principles governing retrenchment have been laid down by the Labour Appellate Tribunal in the case of Vishwamitra Press (Karyalaya), reported at 1952 L.A.C. 20. The relevant portion is found in paragraphs 16, 17 and 18 of the judgment at page 33. It is as under:—

"The first question to be considered by a Tribunal is whether a case for retrenchment has been established. On this question, the onus would be on the Management. If it falls, its case would end there. If, however, the Management is able to establish a case for retrenchment either on the ground of rationalisation, economy or other sufficient causes, the next question to consider would be the extent of retrenchment. Here the matter has to be considered under two sub-heads, namely (1) when the action of the Management in retrenching the workmen is bona fide and (2) where in determining the extent of the retrenchment, it acts partly on extraneous considerations or on improper motives.

It is the prima facie right of the Management to determine its labour force and the Management would be the best judge to determine the number of workmen who would become surplus on the ground of rationalisation, economy or other reasons on which retrenchment can be sustained. Where in effecting the retrenchment, the Management acts in a bona fide manner the number retrenched by it ought to be accepted. It is not possible or desirable to give an exhaustive list of the cases that would be covered by the second class. The increase of workload on the workmen retained would be an instance of extraneous consideration. Similarly, victimisation or unfair labour practice in effecting retrenchment, would be instances of improper motive. When the Management is influenced by extraneous considerations or improper motives, the Tribunal must scrutinise the matter with great circumspection and must confine the number of retrenchment strictly within the limits of actual requirement. In such cases, the Management must justify by evidence the extent of the retrenchment.

If the first question is answered in favour of the management and the extent of the retrenchment determined in accordance with the principles indicated above, the next question would be the personnel who would fall under the axe. Here the rule is well established. Other things being equal, 'the last come must first go'. If that rule has been departed from, the Management must justify the departure and the last question for consideration would be the measure of compensation to be given to person whose retrenchment is upheld by the Tribunal."

15. In the case of Atherton West and Company Ltd. Vs. Suti Mill Mazdoor Union, Kanpur and others reported in 1953 L.A.C. 263, the Supreme Court had to consider the scope of an enquiry by a Conciliation Officer where an application for permission to dismiss a workman was sought for by the employers. It has been observed by the Supreme Court in their Judgement that the authority will institute an enquiry and come to the conclusion whether there was a prima facie case made out for the discharge or dismissal of the workman; and the employer, his agent or manager was not actuated by any improper motives or did not resort to any unfair practice or victimisation in the matter of the proposed discharge or dismissal of the workman.

16. In the case of Shri Sudersan Banerjee & Others Vs. Messrs Mc Leod & Company Limited, 1953 L.A.C. 702, the Labour Appellate Tribunal has referred to the above decision of the Supreme Court and observed that, "as the Supreme Court laid down propositions of law defining the scope of an enquiry when permission is sought for, we are bound by the law as laid down and take it that it is exhaustive on the subject, i.e., only two matters have to be taken into consideration by the authority charged with the duty of according permission, namely, (1) whether the employer has made out a prima facie case for the proposed action against the workman and (2) whether in proposing to take that action, it was actuated by motives of victimisation or other ulterior motives. The Labour Appellate Tribunal goes on to observe at page 711, "In the case of retrenchment

of workmen, the questions that necessarily arise, if the termination of their service is questioned in an adjudication proceedings, are; (1) whether a case for retrenchment has been made out, that is to say, whether the grounds for saying that they are surplus has been made out by the employer, (2) even if such a ground has been made out by the employer, whether in the matter of retrenchment the employer had acted bonafide. If both those elements are established, the employer is the sole judge as to the number to be discharged by way of retrenchment, if the second element is not established but the first is, to the satisfaction of the adjudication authority, namely, the Tribunal, it must scrutinise the number and only uphold the retrenchment of such number as it thinks to have become surplus, (3) that in discharging those named workmen, whether the employer had followed the rule of 'last-come, first go' or not. That rule is not a fixed rule but it is the normal rule and if departed from by the employer he must justify by evidence the departure made by him. Accordingly, where permission is sought for to discharge a workman or a number of workmen on the ground that he or they had become surplus to the requirements of the employer, the authority charged with giving permission must require the employer to lead evidence on all the points noticed above and see whether on the evidence so led, a prima facie case against the said named workman or workmen had been made out. We accordingly hold where permission to retrench is sought for, the authority charged with the duty of giving permission, would also have to consider the question whether the rule of 'last come, first go, has been followed in the proposed retrenchment and if departed from, whether the evidence so led would prima facie support the case of departure from that rule".

17. Thus the first question that I shall have to consider is whether the action of the Management in proposing retrenchment is bonafide and whether in determining the extent of the retrenchment it acts on extraneous consideration or on improper motive. If the Management acts in a bonafide manner, the number retrenched or proposed to be retrenched by it would have to be accepted because it is prima facie their right to determine their labour force and they would be the best judge to determine the number of workmen who would become surplus on the grounds of rationalisation, economy or any other reason on which retrenchment could be sustained.

18. As I stated above, there can be no doubt in the present case that there is necessity for retrenchment. I have mentioned above that the working of the two collieries as separate units was uneconomic and that the amalgamation would conduce to economy and would also result in the saving of a large quantity of coal which would otherwise be wasted. The Assistant Manager who has been examined has given reasons as to what steps they propose to take for the purpose of rationalisation. They want to close down certain pits, they also want to close certain sections which are uneconomic and I think that there cannot be any doubt that retrenchment is necessary. Actually, as I said above, the Union representatives who appeared before me not only did not challenge the validity or necessity of amalgamation and also retrenchment, but they also conceded that retrenchment was to some extent necessary. They, however, contended that retrenchment as proposed by the Management was excessive and that there was no case of retrenchment for certain categories of workmen.

19. I may then mention that there is no allegation that the retrenchment is actuated by motives of victimisation or ulterior motives. The only motive alleged is that the employers want to make more profits by effecting economy which, in my opinion, they have every right to do. If an employer finds that he has got surplus labour or that he can reduce his labour strength by rationalisation etc., he has every right to do so. But he cannot use that for victimisation of persons nor should he be actuated by any other ulterior motives. There is no allegation of want of bonafides or the like.

20. I now proceed to consider the question of the proposed retrenchment categorywise:

(1) Haulage Engine Khalasis:

21. Originally there were 21 persons employed in this category; but two of them have already left and the present number is 19. The Management want to retrench one person saying that they would require only 18 haulage engine khalasis. In his deposition, the Assistant Manager has said that they proposed to work with only six haulages and that in each haulage they would require one khalasi for each shift, i.e., they would now require 18 khalasis. He was asked as to why no provision has been made to have relief khalasis by way of leave reserve so that if any khalasi fell ill or went on leave, there would be no difficulty. He explained that the six haulages that they are working are of

different kinds and that one person who is working on a particular haulage would not be able to work on another haulage unless he had some practice. I accept his testimony on this point. It may be noted in this connection that Sri Ajab Narayan Singh, who has been examined on behalf of the Unions, stated that a Winding Engine khalasi working on one winding engine would be able to work on other winding engine. But, even he did not say that a person working at one haulage engine could work at another haulage engine. Even if he had said so, I would have found difficulty in accepting his testimony on this point, firstly because he is not an expert and secondly because he has no experience of work underground; his duties being only to supervise certain portion of surface work.

22. The Assistant Manager has explained that in case of emergency by anyone falling ill, they would take overtime work from the other persons by paying them overtime wages. I think that in view of the fact that the six engines are of different types, it would not be proper to ask the Management to keep any leave reserve. It has also been stated on behalf of the Management that except in the categories of pump khalasis and trammers neither of the two collieries was keeping any workmen by way of reserve. If that is so, it would not be proper to ask them to keep any one by way of reserve in other categories now, specially when it is ordinarily their right to determine their labour force. I would, therefore, hold that retrenchment of one haulage engine khalasi is necessary.

(2) Pump Khalasis:

23. Originally the two collieries together had 44 Pump Khalasis. Some of them have since left and their present strength is 33. The Management's case is that they would require only 24 Pump khalasis and hence they should be allowed to retrench 9 pump khalasis. Sri Srinivasan has stated that they were at present working 10 pumps, but that they proposed to work only 8 pumps. He has further said that at two places two pumps are near each other and one person can look after both pumps. One person would be required per shift for each pump and as they are going to work only 8 pumps and as two sets of two pumps are near each other, they would require only 18 pump khalasis. They are, however, making a provision for 24 so that they may have leave reserve of six more. In his deposition, Shri Ajab Narayan Singh has admitted that there are two sets of two pumps which are near each other and that each of these sets could be looked after by one khalasi at a time. His contention, however, is that there are 13 working pumps and hence he contends that 33 pump khalasis would be required for normal work. He has no occasion to go underground. As a matter of fact, he has not gone underground during the last 8 or 9 months. In the circumstances, I cannot accept his contention that at present 13 pumps are working. Apart from this, it is for the Management to determine its labour force and to decide how many pumps they should work and at what places. I would accept the statement of Shri Srinivasan and hold that 24 pump khalasis would be required and that the retrenchment of nine more Pump Khalasis is therefore necessary.

(3) Fireman:

24. Originally there were 15 firemen. Now there are only 10. The Management wants to keep nine and to retrench one. They have reduced the number of boilers to three and hence they would require only nine firemen. Actually at the time of arguments, Shri Desai did not dispute the fact that there was necessity for retrenchment of one more fireman because the number of boilers was reduced. I accept the Management's case on this point also.

(4) Winding Engine khalasis:

25. There were originally 14 workmen in this category. There are at present 9. The employers say that they require only 6 persons in this category as they are now going to have only two winding engines. Formerly because of the two collieries working separately, each colliery had at least two pits. They had also an incline. Now they are reducing the number of pits to only two and they would, therefore, require only six winding engine khalasis. I do not think any leave reserve is necessary for this small number. even if a khalasi working on one winding engine may be able to work on another. I accept the Management's case and hold that further retrenchment of three winding engine khalasis is necessary.

(5) Fitter Mazdoors:

26. Originally there were 16 Fitter mazdoors. Now there are 15. The Management urged that they require only 13 and propose to retrench two fitter mazdoors out of their present strength. There is no reason not to accept the testimony of the Manager on this point. I hold that the retrenchment of two more fitter mazdoors is necessary.

(6) Mining Sirdars:

27. Originally there were 19 Mining Sirdars. At present the number is 16. The Management urged that they require only 12 Mining Sirdars and the rest are therefore surplus. Shri Srinivasan has stated that they have only four working districts and that they would, therefore, require 12 Mining sirdars, one for each district for each shift. He has also explained that they have not made any provision for leave reserve because they have got some extra overmen who do not possess the qualifications which are now required for an overman, but who had been appointed overmen before the present Mining regulations came into force and that these persons could work as Mining Sirdars if someone went on leave. I accept his testimony. I hold that the retrenchment of four more Mining Sirdars is necessary.

(7) Watch and Ward:

28. Originally there were 13 persons under this head. At present the number is 11. The employer says that they required only 10 and hence they should retrench one. In this connection, I would ordinarily have accepted the Management's case, but I think in this particular case the Management have decided to retrench some watchmen and are now only finding reasons for the same. Shri Srinivasan said that out of the original number of 13, three had become surplus because they now require one watchman less due to the amalgamation of the two offices of the two collieries into one office; that they require another watchman less because of the fact that instead of two explosive magazines, they have now one and similarly one more has become surplus because instead of two Managers, there would be now only one. Now, so far as the Manager's post is concerned, the two collieries had two separate Managers. After the amalgamation, one has been designated as Manager and the other Assistant Manager. It is now said that the Asstt. Manager is being transferred to another sister colliery. Even then Shri Srinivasan has not stated that that post is to be abolished. He said that no decision has been taken on the point as to whether the post is to be abolished or not. In other words, at present at any rate one watchman has not become surplus on this ground.

29. In this connection, I may mention that Sri Srinivasan had to admit that for each magazine they require three watchmen. Now, if the two magazines of the two collieries are amalgamated into one, the number becoming surplus on this ground would have been three and not one.

30. On the whole, after having taken into account the statement of the Assistant Manager and the circumstances of the case, I think that no case has been made out for the retrenchment of one more person under this category.

(8) Depot staff:

31. All along there have been three persons under this category and the Management say that they would now require only two and want to retrench one. The Asstt. Manager has said that because of the amalgamation of the two collieries there is now no need to have three persons and the work can well be looked after by two persons. Members of the depot staff have to look after the railway siding and to do loading supervision. The sidings of the two collieries are contiguous as admitted by Shri Ajab Narayan Singh. That being so, I accept the Manager's testimony that this work could be looked after by two persons and that retrenchment of one is necessary.

(9) Trammers:

32. The original number of Trammers was 148. Their present number is 134. The Management urged that they require only 120 and hence the retrenchment of 14 trammers is necessary. This is one of the categories where the Unions have urged that retrenchment to the extent asked for by the Management is not necessary. It was argued that the employers have not reduced the number of miners. There would, therefore, be no reduction in the raising of coal and hence there would be no necessity to reduce the number of trammers, because trammers are required to push the trams from the working faces to the bottom of the pit and again from the top of the pit to the depot. I do not agree with the contention of the unions on this point. The number of trammers does not depend only on the amount of the production of coal, but depends also on the distance of the working places from the bottom of the pit and the distance from the top of the pit to the depot. The Assistant Manager has said that they are reducing the number of working districts from 6 to 4 and that is why they would now require less number of trammers. Originally there were 6 working districts of which three have been closed, but one more has been opened, thus reducing the total number of working

districts from 6 to 4. Provision has also been made for 10 extra trammers for leave reserve. In my opinion, the retrenchment of 14 more trammers is necessary.

33. In this connection, I may mention that the trammers are both piece rated and time rated workers. If the Management had proposed retrenchment of time rated trammers only, I might have doubted their bonafides; but, they do not propose to retrench only a particular kind of trammers, but they say that they would retrench the trammers on the principle of 'last come, first go' irrespective of whether he is time rated or piece rated. I am satisfied that the employer's action in this respect is bonafide.

(10) Banksmen and Onsetters:

34. There were 24 banksmen and Onsetters. Their present number is 20. The Management urge that they require only 12 Banksmen and Onsetters, rendering 8 of them surplus. They have reduced the number of pits to two. In each pit, they would require one Banksmen and one Onsetter for each shift, making their total requirement 12. I therefore agree that the remaining Banksmen and Onsetters have become superfluous. I may add that this is one of the categories where the necessity of retrenchment was not challenged on behalf of the Unions.

(11) Surveyor:

35. At present there are two Surveyors and the Management want to reduce one. As long as the two collieries were working as separate units, each required a separate Surveyor; but now that they have amalgamated into one, they could conveniently have only one Surveyor for the amalgamated colliery. The area is not much that one man cannot look after the work. I therefore hold that the retrenchment of one Surveyor is necessary.

(12) General Office clerks:

36. Their number is 13 and it is said that the Management now require only 11, rendering two people surplus. It is common knowledge that when two separate units are amalgamated into one, economy can be effected without in any way decreasing the efficiency or increasing the workload; because there would be some reduction in work (for instance, maintenance of stores) and also because duplication could be avoided when there is one office instead of two. This is just what the Assistant Manager has said. I accept his statement on this point. Again, as I mentioned above, it is the Management's right to determine its labour force and I see no reason to feel that their proposal is not bonafide.

(13) Cash and Accounts:

37. There are at present one Cashier and one Accountant in each colliery and the Management propose to keep one person under each category in the amalgamated colliery. Here also as long as the two units were separate, the collieries had to maintain one person under each category out of necessity even though there may not have been enough work. With one unit, one Cashier and one Accountant would be enough. The Management's proposal appears to be reasonable.

38. It was argued on behalf of the Unions that in the case of Line mistris, the persons, who were said to have been surplus and who resigned their posts on being paid compensation as if they were retrenched, have been re-employed by the employers on a contract basis and this shows that their retrenchment by the employers was not bonafide. Reliance was placed in this connection on the case of Upper India Sugar Mills 1953 L.A.C. 298. In that case, the Management had employed a number of workmen for construction of certain buildings. The workmen demanded increment in their wages and on the refusal by the Management to do so there was a strike. The dispute was settled by negotiation. The wages were increased. Later on the Management retrenched 93 workmen of the building department within two months and a half from the date of the agreement and continued the work of the building department through a contractor at a rate which according to the Management was more economic. Some of the retrenched workmen were employed by the contractor. The question before the Tribunal was whether the retrenchment of the above workmen was justified. The Labour Appellate Tribunal held that as the construction of the building department was still proceeding through a contractor and as it was not stated that there was not enough work for these workmen or that any of them might be retrenched on the ground that he was surplus, the retrenchment was not bonafide. It further held that the Management in making retrenchment was actuated by improper motives.

39. In the present case, there is no evidence to show that all the three line mistris are now working on a contract basis. The Assistant Manager on being questioned stated that only one of them is now working on contract basis and that fact was admitted by Shri Ajab Narayan Singh who has been examined on behalf of the Unions. He also said that out of the 6 line mistris, three resigned and received retrenchment compensation and that one of them is now working on contract basis. Thus, only one of the persons who resigned voluntarily is now working on a contract basis. Thus it is not a case where people were retrenched though they were necessary. It was a case where some persons voluntarily left and later on there might have been some sort of temporary work which might have been given to one of them on contract basis. It was not obligatory for any of these line mistris to resign; it is also not a case where they have been retrenched; but it is a case of voluntary resignation. As the matter stands now, there is no proposal to retrench any line mistri. The question about one of the mistris who had resigned but is now working as contractor is not relevant for our purpose.

40. Shri Ajab Narayan Singh in his deposition has stated that work in some areas has been stopped; but he alleges that it is possible to start work there by dewatering the areas. I cannot accept his deposition on the point; firstly, he is not an expert; secondly, he has no knowledge of working conditions underground; he does not even know what is the depth of water in these areas; lastly, it is for the employers to determine as to which areas they should work and which they should not and in all these circumstances, I do not think that no retrenchment should be allowed on the allegation that it is possible to start work in areas where there is water by dewatering the areas.

41. The above witness has also stated that there are three boilers in the colliery and that all the three are working for all seven days in a week. He has no knowledge of working conditions underground and his statement that all the boilers are working for all seven days in a week cannot be accepted as against the testimony of the Assistant Manager.

42. On the whole, after carefully gone into the evidence and circumstances of the case and the arguments advanced before me, I am satisfied that the retrenchment to the extent proposed by the employer is necessary except in the case of one person of the Watch and Ward Department.

43. Before I come to the last question about relief to which the retrenched workmen would be entitled to, I may mention that in retrenching workmen to the extent proposed by the employers, they should follow the principles of 'last come, first go'. Here is a case of two collieries which are amalgamated into one. The employers should, therefore, prepare a consolidated list of all the workmen of both the collieries categorywise and after doing so, they will retrench workmen from the different categories on the principle of 'last come, first go'; and, this principle should be applied categorywise; that is, a person to be retrenched in a particular category should be the juniormost in that category.

44. There is another point which I may refer to at this stage and it is that at present the employers have got only one Timber mistri and one timber mazdoor as against the requirements of two Timber mistris and four timber mazdoors. It was conceded before me on behalf of the Management that they could and would offer these jobs to the persons who are proposed to be retrenched by them and are otherwise suitable for these jobs. In my opinion, in doing so, they should respect seniority. Next to seniority, they should also see that the person is fit for the particular job. They should offer the above jobs to the seniormost eligible man out of the persons sought to be retrenched and to that extent they should reduce the persons proposed to be retrenched by them.

45. It was then urged by Shri Desai on behalf of the Unions that if a person who is not the juniormost and who is not among the persons who would have to be retrenched wants to go voluntarily, he should be allowed to do so and compensation should be offered to him on the basis as if he was retrenched. There is no law under which the employers could be compelled to do this. It appears that they have given compensation to people who have resigned voluntarily though they were not due for retrenchment and paid them compensation on the basis as if they were retrenched; but that was a voluntary action on their part. But, I cannot order that they should do so. Looking however to the fact that they have paid compensation to people who have voluntarily resigned, though they were not due for retrenchment and looking to the fact that the retrenched workmen would be losing jobs for no fault of theirs, I would certainly recommend to the employers that they might show some latitude to other workmen also, that is, they should pay compensation to persons who resign voluntarily though they

are not due for retrenchment, on the basis as if they were retrenched as this would reduce the number of persons to be actually retrenched. This should however be done, only in cases of those workmen, who give resignation within 15 days of the publication of this Award.

46. It was argued on behalf of the Management that I should order that the retrenchment should be effective from 6th January 1962 when they gave or proposed to give notice to the workmen. It was contended that retrenchment was held back only because of an agreement between the employers and the Unions and if I come to the conclusion that retrenchment is necessary, I should order that it should be effective from 6th January 1962. I cannot understand how retrenchment could be made effective retrospectively. People have been working all this time and my saying that the retrenchment should be effective from 6th January 1962 would, therefore, have no meaning.

47. It was stated that my ordering that the retrenchment should be effective from 6th January 1962 would enable the employers not to give any further notice or pay for any further notice period. If I cannot order retrenchment retrospectively, I cannot say that no notice should be given. Further, it is not clear whether notice have actually been given to the persons proposed to be retrenched. From the agreement between the employers and the Unions dated 15th January 1962, it appears that notices were intended to be served on the workmen. Para 1 of the terms of settlement mention that the parties will discuss mutually with regard to the retrenchment notices intended to be served on the workmen on 8th January 1962. Para 2 further mentions that the Management agreed not to give effect to the said notices during the period of negotiation and arbitration if found necessary. Section 25F, clause (a), of the Industrial Disputes Act lays down that no workman should be retrenched until the workman has been given one month's notice in writing indicating the reason for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of notice. This would mean that one month's notice is obligatory before any one can be retrenched. No doubt the employers did intend to retrench some workmen from 8th January 1962 and did also intend to give notices to them; but the notices do not appear to have been served. A dispute arose between the parties and ultimately the question of necessity and extent of retrenchment has been referred to me. Till the question is decided, the employer could not retrench any person. In other words, the employers had no right to retrench a person before I give my award and in any case, therefore, I think that the retrenchment could not be made effective from 8th January 1962.

48. It was then urged that I should order that the retrenchment should be effective from the date of the award. Here also there would be practical difficulties; because until the award is published, parties would not know my decision and it would not be possible for instance for the employers to give notice to the workmen as required by law. On the other hand, looking to the fact that the employers did intend to effect retrenchment from 8th January, 1962 and that they have not been able to do so because of a dispute raised by the Unions and as I have come to the conclusion that retrenchment is necessary, I would hold that the retrenchment should be effective from the date of publication of the award. The workmen and the Unions have known that there has been a proposal for retrenchment. Of course, the Management would have to give a month's notice after the publication of the award or pay one month's wages in lieu thereof as required by law.

49. This brings me to last question about the relief to be awarded to the workmen who would be retrenched. In this connection, Section 25F, clause (b) of the Industrial Disputes Act lays down that no workman should be retrenched until he has been paid at the time of retrenchment compensation which is equivalent to 15 days' average pay for every completed year of service or any part thereof in excess of six months. The employers have stated that they are willing and prepared to pay compensation at this rate. On the other hand, it was urged on behalf of the Unions that the workmen should be awarded compensation at a higher rate. I cannot agree with this contention. Law lays down that in case of retrenchment there should be compensation at a particular rate and it has not been shown to me how I can or should award compensation at a higher rate. It is not a case of wrongful dismissal where the workman instead of being reinstated is being awarded compensation; in such a case, he may be awarded compensation at a rate exceeding 15 days' average pay for each completed year of service. There is always a hardship to the workmen, when they are retrenched; and that is why provision has been made in Section 25F of the Industrial Disputes Act for paying retrenchment compensation. To award retrenchment compensation at a higher rate in this case would amount to

encouraging raising of disputes even though there may be necessity for retrenchment. If the necessity of retrenchment is established and permission is given to the employer to do so, I do not think that a workman should get more than what he is entitled to under law. I hold accordingly on the last point.

In the result, my award is as under:—

1. There is necessity of retrenchment of workmen at Bengal Jharia Colliery (inclusive of Sree Commercial Colliery).

2. (a) The extent of retrenchment necessary is as under:—

Out of the persons on the roll of the colliery on 27th February 1962, the following number of persons is required to be retrenched:—

- (i) One haulage khalasi.
- (ii) Nine Pump khalasis.
- (iii) One fireman.
- (iv) Three Winding Engine khalasis.
- (v) Two Fitter mazdoors.
- (vi) Four Mining Sirdars.
- (vii) One Depot staff.
- (viii) Fourteen Trammers.
- (ix) Eight Banksman and Onsetters.
- (x) One Surveyor.
- (xi) Two General Office Staff.
- (xii) Two Cash and Accounts (One Cashier and One Accountant).

(b) In effecting retrenchment, the employers shall prepare a consolidated list of the workmen of both collieries categorywise and effect retrenchment under each category on the principle of 'last come, first go'.

(c) The employers shall reduce the number of persons to be retrenched by four, by offering jobs of timber mistri and timber mazdoors to eligible persons as mentioned in Para 44 above.

3. (a) The employers shall before effecting retrenchment give notice or notice pay to the persons proposed to be retrenched as required by clause (a) of Section 25F of the Industrial Disputes Act. This applies only to those workmen, who have been in continuous service for not less than one year on the date of the proposed retrenchment.

(b) Those workmen who are to be retrenched and who have been in continuous service for not less than one year shall also be paid compensation equivalent to 15 days' average pay for every completed year of service or any part thereof in excess of six months.

4. This award shall be effective from the date of its publication.

The 15th March, 1962.

L. P. DAVE,
Arbitrator.

[No. 8/16/62-LRII.]

S.O. 940.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the matter of an application under section 33A of the said Act from Shri N. K. Mishra and 3 others, New Chirimiri Ponri Hill Colliery.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

APPLICATION No. CGIT-15 OF 1961

ARISING OUT OF REFERENCE CGIT-1 OF 1961

N. K. Mishra, Loading Clerk,
Bhola, s/o Naiharsai, Shunting Mazdoor,
Channo, s/o Bodhram, Depot Mate,
Chandan, s/o Dharamsai, Shunting Mazdoor,
all employees of New Chirimiri Ponri Hill Colliery,
P.O. Chirimiri, M.P.—*Complainants*.

Vs.

The Manager,
New Chirimiri Ponri Hill Colliery,
P.O. Chirimiri, M.P.—*Opposite Party*.

In the matter of a complaint under section 33A of the Industrial Disputes, Act, 1947.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

Bombay, dated the 17th March 1962.

APPEARANCES:

For the complainants: Shri Gulab Gupta, Vice-President, Chhattisgarh Colliery Workers' Federation.

For the opposite party: Shri G. Sreenivasan, Manager, New Chirimiri Ponri Hill Colliery.

STATE: Madhya Pradesh.

INDUSTRY: Coal.

It is admitted that the complainants above named are workmen employed in the New Chirimiri Ponri Hill Colliery and were workmen concerned in Reference CGIT-1 of 1961. They were dismissed from service on 30th August 1961 on charges of misconduct and an application filed by the opposite party (Application CGIT-10 of 1961), under section 33(2)(b) of the Act for approval of this action of the management was dismissed by this Tribunal's Order dated 19th December 1961, on the ground that the application as framed was not maintainable as these four complainants had not been joined or named as opposite parties to that application.

2. After this complaint was filed on 23rd December 1961, and the opposite party had filed its written statement in reply dated 25th January 1962, the dispute was fixed for hearing at Bombay on 7th February 1962 and later at Jabalpur on 16th February 1962, but as the Tribunal could not visit Jabalpur on that date, this complaint was not heard. Thereafter, this Tribunal received an application dated 18th February 1962, as per copy enclosed, from Shri Gulab Gupta, Vice-President, Chhattisgarh Colliery Workers' Federation, who represents the complainants, stating that he did not want to pursue this complaint as the dispute has been amicably settled by the parties on 16th February 1962 and all the complainants have been reinstated with continuity of service. Shri Gupta therefore applied for permission on behalf of the complainants to withdraw this complaint. A copy of this application has been forwarded by Shri Gulab Gupta to the opposite party, who has not intimated to this Tribunal any opposition to it.

3. As the dispute appears to have been amicably settled, the application on behalf of the complainants for withdrawal of this complaint is allowed and the complaint is disposed of as withdrawn.

No order as to costs.

(Sd.) SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal,
Bombay.

ANNEXURE 'A'

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, BOMBAY.

APPLICATION No. 15 of 1961

N. K. Mishra and 3 others

Vs.

The Manager,
New Chirimiri Ponri Hill Colliery*In the matter of complaint under section 33-A of the Industrial Disputes Act,*

The workmen above-named beg to submit as under:—

1. That the case of dismissal of all the complainants has been settled amicably by the party on 16th February 1962 and all the workmen have been reinstated with continuity of service.
2. That because of the mutual settlement of the dispute, the complainants are not interested in pursuing the complaint and wish to withdraw it.

PRAYER

It is therefore prayed that the Tribunal be pleased to allow the complainants to withdraw the complaint.

And for this act of kindness the complainants, as duty bound, shall ever pray.

.....

(Sd.) GULAB GUPTA,

Vice President,

Chhattisgarh Colliery Workers' Federation,
For Complainants.

CHIRIMIRI;

The 18th February, 1962.

Copy to the Manager, New Chirimiri Ponri Hill Colliery.

[No. 2/269/60-LRII.]

CORRIGENDUM

New Delhi, the 23rd March 1962

S.O. 941.—In the Schedule to the Order of the Government of India in the Ministry of Labour and Employment No. S.O. 664, dated the 21st February, 1962, published on pages 599-600 in the Gazette of India, Part II, Section 3(ii), dated the 3rd March, 1962, for "from 17th June, 1961" read "from 19th June, 1961".

[No. 2/8/62-LRII.]

A. L. HANDA, Under Secy.

New Delhi, the 19th March 1962

S.O. 942.—In pursuance of the proviso to regulation 17 of the Coal Mines Regulations, 1957, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1599, dated the 28th June, 1961, namely:—

In the Table appended to the said notification, under the heading "INDIA", in the items enumerated under the sub-heading "List of Institutions and authorities awarding Degree/Diploma in Mining after a full time course of study", after item 11, the following item shall be inserted namely:—

"12. Madhya Pradesh Board of Diploma in Mining and Mine Surveying,"
Technical Education, Bhopal.

[No. 17/3/62-MI(Am-4).]

A. P. VEERA RAGHAVAN, Under Secy.

New Delhi, the 19th March 1962

S.O. 943.—Whereas, immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st November, 1952 to the factories of the Bombay Dyeing and Manufacturing Co. Ltd., known as (i) The Bombay Dyeing and Manufacturing Co. Ltd., Dye Works, Dadar, (ii) The Bombay Dyeing and Manufacturing Co. Ltd., Spring Mills, Dadar, and (iii) The Bombay Dyeing and Manufacturing Co. Ltd., Textile Mills, Parel, Bombay-13, there was in existence a provident fund which was common to the employees employed in the factories, to which the said Act applies and the employees in their Head Office situated at Neville House Graham Road, Ballard Estate, Bombay as shown in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid Head Office.

SCHEDULE

The Bombay Dyeing and Manufacturing Co. Ltd., Head Office, Neville House, Graham Road, Ballard Estate, Bombay.

[No. PF.II.7(44)/59.]

S.O. 944.—Whereas, immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st December, 1957 to the factory known as the Best and Company Private Limited, Madras, there was in existence a provident fund common to the employees employed in the factory, to which the said Act applies and the employees in the other establishments as shown in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid establishments.

SCHEDULE

1. The Best and Company Private Limited, Head Office, 13/15, North Beach Road, Madras.
2. The Best and Company Private Limited, 183/184, Rashtrapathi Road, P.O. Box No. 91, Secunderabad.
3. The Best and Company Private Limited, Harbour Approach Road, Visakhapatnam.
4. The Best and Company Private Limited, 15/5801, Tilak Street, Kakinada.
5. The Best and Company Private Limited, 6/124-B, Trichy Road, P.O. Box No. 168, Coimbatore.
6. The Best and Company Private Limited, 98, Sandapettai Street, P.O. Box No. 36, Madurai.
7. The Best and Company Private Limited, George Oakes Building, P.O. Box No. 651, Sri Narsimharaja Square, Bangalore.
8. The Best and Company Private Limited, Clay Factory, 298, T. H. Road, Madras.

[No. 7/8/60-PF.II.]

New Delhi, the 20th March 1962

S.O. 945.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Sarvashri Samiran Chatterjee and Mantosh Bhattacharyya to be Inspectors for the whole of the State of West Bengal for the purposes of the said Act or of any Scheme framed hereunder, in relation to an establishment belonging to, or under the control of the Central Government, or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 20/20/62-PF-I.]

S.O. 946.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri K. R. Vasvada to be an Inspector for the whole of the State

of Gujarat for the purposes of the said Act or of any Scheme framed thereunder, in relation to an establishment belonging to, or under the control of the Central Government, or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 20(21)/62-PF.I.]

New Delhi, the 26th March 1962

S.O. 947.—In pursuance of clause (c) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby nominates Lt. Col. J. M. Shahane (Retd.) as a member of the Regional Committee for the State of Madhya Pradesh and makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 2427, dated the 8th November, 1958, namely:—

In the said notification, for entry (5), the following entry shall be substituted, namely:—

"(5) Lt. Col. J. M. Shahane (Retd.), Administrative Officer, Associated Cement Company Limited, Kymore".

[No. 10/7/61-PF.II.]

P. D. GAIHA, Under Secy.

New Delhi, the 23rd March 1962

S.O. 948.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st April, 1962, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas of Kumbakonam in the State of Madras, namely:—

The areas within the revenue villages of:

- (a) Patnam,
 - (b) Inam Melacauvery,
 - (c) Palavattankattalai,
 - (d) Innambur,
 - (e) Ullur,
 - (f) Baburajapuram,
 - (g) Survamanyakottayur and
 - (h) Moopakoll,
- in Kumbakonam taluk, Thanjavur District.

[No. F. 13(7)/62-HI.]

New Delhi, the 26th March 1962

S.O. 949.—In exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2665, dated the 2nd November, 1961, namely:

(1) In Schedule II, against serial No. 16, for the entry "M/s Rajasthan Khadi Sangh Amber Saranjam Parashikan Kendar" in column 5, the entry "M/s Sikar Jila Khadi Gramudyog" shall be substituted.

(2) In Schedule III,

(a) against serial No. 2, for the entry "Kasametty Radhakrishniah Setty Oil Mills" in column 5, the entry "Kasametty Radhakrishniah Setty Oil Mills" shall be substituted;

(b) against serial No. 17,

(i) for the entry "Amadalvalasa" in column 4, the entry "Amadalavalasa" shall be substituted;

(ii) for the entry "Rajendra Tile Works" in column 5, the entry "Rajendra Rile Works" shall be substituted.

(3) In Schedule IV, against serial No. 14, for the entry "M/s Padke Industrial Works" in column 5, the entry "M/s Padake Industrial Works" shall be substituted.

(4) In Schedule V, against serial No. 4, for the entry "Baradur" in column 4, the entry "Baradaur" shall be substituted.

(5) In Schedule VI, against serial No. 11 under "Saharanpur Division."

(i) for the entry "Bahjaio" in column 4, the entry "Bahjoi" shall be substituted;

(ii) for the entry "Rajaka Shahhaspur" in column 4, the entry "Rajaka Shahaspur" shall be substituted.

[No. F. HI-8(141)/59.]

BALWANT SINGH, Under Secy.

New Delhi, the 24th March 1962

S.O. 950.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Bombay Port Trust, Bombay and their workmen

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE NO. CGIT-35 OF 1961

Employers in relation to the Bombay Port Trust, Bombay,

AND

their workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

Dated the 17th March, 1962.

APPEARANCES:

For the employers:

Shri S. D. Narlman, Legal Adviser, Bombay Port Trust.

For the workmen:

Shri S. Maitra, General Secretary, Bombay Port Trust General Workers' Union in support of Shri N. N. Patil.

Shri S. J. Deshmukh, Assistant Secretary, Bombay Port Trust Employees' Union in support of Shri M. Chudappa.

STATE: Bombay.

INDUSTRY: Ports and Docks.

AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 28/56/61-LRIV, dated 23rd November 1961, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial dispute between the parties abovenamed in respect of the subject matters specified in the following schedule to the said order for adjudication to me:—

SCHEDULE

"Whether Shri Namdeo N. Patil, Fitter is senior to Shri M. Chudappa. If so, should he be promoted to the post of Assistant Chargeman or Chargeman with retrospective effect from 23rd April 1960?"

2. As will be noticed from the schedule stated above, this industrial dispute centres round the claim of two rival fitters, namely N. N. Patil and M. Chudappa for the post of Chargeman and their causes have been supported by two rival unions in the Bombay Port Trust. The Bombay Port Trust General Workers'

Union filed its statement of claim in support of Shri N. N. Patil on 26th December 1961 and the Bombay Port Trust Employees' Union on behalf of Shri M. Chudappa on 9th February 1962. The Bombay Port Trust filed its written statement on 18th January 1962 and at the hearing Shri S. D. Nariman, its Legal Adviser, stated that the Port Trust did not want to adopt a partisan attitude as, in its opinion, much could be said for the claims of either party, and it would abide by the finding of the Tribunal.

3. The dispute was heard on the 11th and 12th February 1962 when lengthy submissions were addressed on behalf of the rival unions and the Bombay Port Trust furnished the relevant documents. As will be seen from the schedule there are two issues involved in this dispute (1) whether Patil is senior to M. Chudappa and if so; (2) should he be promoted to the post of Assistant Chargeman or Chargeman with retrospective effect from 23rd April 1960.

4. The facts of the case are that Chudappa was taken up as an Apprentice Trainee for the post of fitter on 20th February 1939 under the Bombay Port Trust apprentice scheme then in force, and on completion of his apprenticeship he was appointed as a fitter in the loco shed of the Bombay Port Trust on 1st August 1944. With regard to N. N. Patil it is admitted that he joined the service of the Bombay Port Trust on 1st February 1943 when he was directly recruited as a fitter, also in the loco shed.

5. There is a controversy between the parties whether the apprenticeship period should count as service for purposes of determining seniority. Shri Deshmukh on behalf of the Bombay Port Trust Employees' Union in claiming that Chudappa is senior in service to Patil has contended that the period of his apprenticeship and the fact that he was appointed as fitter immediately on completion of his apprenticeship should be taken into account in determining his seniority whilst Shri Maitra has contended that there is nothing in the apprentice scheme or in the service rules of the Bombay Port Trust which would justify such a claim. It is, therefore, necessary to refer to the provisions of the Bombay Port Trust's apprentice training schemes.

6. It appears that in 1923 the Bombay Port Trust started a scheme for training apprentices in its engineering workshops. Boys between the ages of 15 to 18 years were selected for apprenticeship under the scheme on their signing an agreement in the prescribed form (Annexure A to the Bombay Port Trust's written statement). Clause one of the agreement provided that persons selected for training under the scheme would serve the Bombay Port Trust as apprentices for five years and clause five provided that on completion of 3 years' service the apprentice would be eligible for contribution to the Trustees Provident Fund. Clause ten of the scheme for workshop apprentices class B—and this was the scheme applicable to M. Chudappa—provided that—

“these apprenticeships will not, however, entitle the holders on completion of their terms to posts in the Port Trust. Selected apprentices on completion of their apprenticeships might be given jobs of workmen, if found suitable on there being a vacancy.”

This scheme was sanctioned by the Trustees by their Resolution No. 513 of 3rd July 1923.

7. By their subsequent Resolution No. 34 of 1949, the Trustees revised the said scheme for training of apprentices. The revised scheme expressly stipulated that, “an apprentice means a person engaged for undergoing training and that he is not an employee in the full sense of the term.” Clause 9 of the revised scheme further stipulated that an apprentice, not being an employee of the Port Trust, will not be eligible to contribute to the provident fund. It further provided that, “should, however, he (apprentice) be employed in the service of the Port Trust immediately on completion of his apprenticeship, his period of training will be counted for purposes of provident fund and the arrears of contribution recovered, at his option.”

8. It is admitted that Chudappa joined as an apprentice on 20th February 1939 and, therefore, the provisions of the apprenticeship scheme of 1923 applied to him. Shri Deshmukh has relied upon the provisions of clause five of the 1923 apprentice agreement which provided that the apprentice on completion of 3 years' service would be eligible to contribute to the Trustees Provident Fund. But that provision cannot by itself or read with any other provision of the apprenticeship scheme of 1923 entitle an employee of the Bombay Port Trust to claim the period of his apprenticeship as period of service for determining seniority. The provisions of the apprenticeship scheme of 1923 do not

anywhere state that an apprentice was to be treated as an employee of the Bombay Port Trust during the period of his apprenticeship. This, in fact, is how the Bombay Port Trust Employees' Union itself had understood the scheme because when in about the year 1954, the Mechanical Superintendent of the Port Trust had prepared a seniority list of all the fitters, in the preparation of which the period of apprenticeship put in by the employees had been taken into account for determining their respective seniorities, the Bombay Port Trust Employees' Union by its letter dated 13th February 1954, addressed to the Mechanical Superintendent in connection with the promotion of an employee, objected to the principle of the period of apprenticeship being taken into account for fixation of the seniority of employees *inter alia* for purposes of promotion (see Annexure C to the Bombay Port Trust's written statement). It is not denied that it was on this representation of the B.P.T. Employees' Union that the list of seniority of fitters as determined by the Mechanical Superintendent was revised under instructions of the Chief Engineer and re-fixed purely on the basis of their first appointment in the post of a fitter.

9. On a careful perusal of the 1923 scheme of apprenticeship, as also the amended scheme of 1949, I am more than satisfied that there is nothing in either of the schemes which would justify the claim for the period of apprenticeship being included as a period of service for purposes of determining seniority for promotion or otherwise. The Bombay Port Trust Employees' Union, which now wants the period of apprenticeship to be included had itself by its said letter dated 13th February 1954 (Annexure C to the Bombay Port Trust's written statement), strongly protested against such a principle being adopted then. Shri Deshmukh has tried to argue that his union then genuinely believed that the practice was not to include the apprenticeship period for determining seniority in service and that in the light of subsequent events it was satisfied that the correct practice is for the period of apprenticeship to be included. I am not at all satisfied that there is any substance in this contention of Shri Deshmukh. This union was consulted when the scheme of apprenticeship was revised in 1949 as is clear from the extract from the proceedings of the meeting of the Trustees held on 25th January 1949 at which by Trustees Resolution No. 24 the amended scheme was sanctioned. It appears from para 2 thereof that the Trustees had made it clear that the distinction between the Railways and the Bombay Port Trust's scheme of training apprentices was that "the object of training apprentices in the railways was to train up workmen for employment in the railway whereas our (Bombay Port Trust's) object was merely to afford an opportunity to young men to receive the practical experience necessary to qualify themselves for a trade." It appears that this union had requested that all apprentices should be absorbed in the Port Trust's service on completion of their apprenticeship. But, for the reasons stated in para 2 referred to above, the Port Trust could not accept any such obligation though in actual practice apprentices were absorbed in the Port Trust's service, if suitable vacancies were available. In view of this, it appears to me that what the Bombay Port Trust Employees' Union had stated in its letter of 13th February 1954 was the correct position, namely that the period of apprenticeship should not be included for determining seniority in service and that this Union's subsequent stand was a *volte face* to support the claim for Chudappa's seniority which it could not have otherwise claimed.

10 I may also here deal with an argument advanced by Shri Maitra that even under the apprenticeship scheme of 1923, the apprentice after completing three years' service as apprentice was only entitled to the Trustees Provident Fund for temporary employees. Clause (4) of the scheme for workshop apprentices clearly so provides. Therefore, the apprentice would be entitled to the benefit of the Trustees Provident Fund only to the extent a temporary employee would. Now, it is well settled that a period of service in a temporary post will not count for seniority. Therefore, even if we accept Shri Deshmukh's contention (in which I am of opinion there is no force or justification) that the fact that an apprentice would be eligible to the Trustees Provident Fund is an argument in support of the contention for counting his period of apprenticeship as service for purposes of determining seniority, it can have no validity because under clause (4) the apprentice would not be in a higher position than a temporary employee and it is now well settled that period of service in a temporary post does not count for seniority.

11 But to continue with the chronological sequence of events, in view of the protest of the Bombay Port Trust Employees' Union as contained in its letter of 13th February 1954 referred to above, the list of seniority of the fitters was revised under instructions of Chief Engineer and re-fixed purely on the basis

of the first appointments in the post of a fitter. On this basis, it is not denied that N. N. Patil was senior as fitter to M. Chudappa.

11. However, surprising as it may seem, when in August 1954 a vacancy arose in the post of Chargeman, the Mechanical Superintendent appointed Chudappa to act as Chargeman in the said vacancy because he was the senior-most fitter in the loco shed once again taking into account the period during which he had served as an apprentice in the workshop. This appointment of Chudappa in the vacancy in the post of Chargeman is now admitted to have been wrong, the explanation offered for it being that the appointment was made by the Mechanical Superintendent, "before receipt of instructions from the Chief Engineer". The circumstances under which this appointment was made is stated in detail in the Chief Engineer's letter dated 24th November 1959 (exhibit D to the Bombay Port Trust's written statement) addressed to the Secretary, Bombay Port Trust. This letter was written with reference to the letter dated 4th August 1959 addressed by the Bombay Port Trust Employees' Union to the General Manager, Bombay Port Trust (Annexure E to the Bombay Port Trust's written statement). Now, in its letter of 4th August 1959 the Bombay Port Trust Employees' Union on the subject of "apprenticeship service for the sake of promotion" had urged that the apprenticeship scheme of 1949 only applied to the apprentices who joined service as apprentice after introduction of this scheme in 1949 and that the rights and benefits of the apprentices who were taken in Port Trust service before the introduction of the scheme are not governed by this scheme. It contended that under the pre-1949 apprenticeship scheme, i.e., the 1923 apprenticeship scheme, apprentices were eligible to contribute to the provident fund on completion of 3 years' service like other employees of the workshop and there was no question of his agreeing to pay the arrears of his contribution to the provident fund, and that the apprentices on completion of the period of apprenticeship were continued in Port Trust service as of right and there never was any break in their service. As a specific instance the union referred to the case of M. Chudappa. With regard to Chudappa, the union stated that he had been continued to be appointed as a fitter on the completion of his apprenticeship period; that sometime prior to 1954 M. X. Fernandes, the Seniormost Fitter in the loco shop having retired Chudappa being the next seniormost fitter started acting as Chargeman whenever the post of Chargeman fell vacant for short or long periods; that there was a vacancy for a long period from 24th September 1954 to 4th January 1955 and Chudappa was paid for acting as a Chargeman; that at the time Chudappa's case was treated as a special case because the 3 sections, viz., loco shed Wadala, loco shop B.P.T. Workshops and Wagon Repairs Shop were considered to be one for determination of seniority but as far as the loco shop was concerned Chudappa was considered the seniormost fitter on the basis of the service put in by him as an apprentice; that it was only after Chudappa had acted as Chargeman for 13 days with effect from 2nd March 1959 that a special case was made saying that *ex post facto* sanction may be given to the leave acting arrangement as N. N. Patil and Mahomed Suleman Baig were senior to Chudappa. The union further stated that the special case made in 1954 was made on the recommendation of the Mechanical Superintendent and the sanction of the Chief Engineer; that Chudappa had been working as Chargeman till 2nd March 1959 whenever the post of Chargeman fell vacant for a period less than the period for which paid acting arrangements could be made. The union ended its letter by asking for protection to "the workmen who were continued in employment after completion of apprenticeship period until the date from which the practice and rule were changed."

13. I may state that Shri S. Maitra on behalf of N. N. Patil has not accepted all the statements made in this letter, particularly those with regard to Shri M. X. Fernandes's retirement or his being the seniormost fitter in the loco shed or with regard to Chudappa being the next seniormost fitter to him and of his acting as Chargeman.

14. The Chief Engineer in his reply dated 24th November 1959 (Ex. D) denied that the continuance of an apprentice in Port Trust service in a clear vacancy was done as a matter of right as can be seen from condition 10 of appendix 13 to Trustees Resolution No. 513 of 3rd July 1923 (to which I have already referred earlier in this award) which laid down that the apprenticeship would not entitle the holders on completion of their term to posts in the Port Trust. With regard to Chudappa's claims to the post of Chargeman it was admitted that when Chudappa was first appointed to act as a Chargeman, loco shop from 24th September 1954 to 4th January 1955 he was the seniormost fitter in loco shop, his seniority

then being fixed on the basis of his first appointment as an apprentice in the Port Trust. The Chief Engineer, however, proceeded to point out:—

"But as a combined seniority of fitters of loco shop, B.P.T. workshop, loco shed Wadala and Wagon Repair Shop was then followed for the sake of promotion to the post of chargeman or assistant chargeman in any of these three places, Mr. Chudappa was not the seniormost as per the said combined seniority and hence his promotion was sanctioned as a special case. The circumstances under which his appointment was made as a special case were that the permanent incumbent of the post of chargeman loco shop viz., Mr. G. F. Pereira had abruptly absented himself from 24th September 1954 and had applied for leave on medical grounds first of all for a period of 14 days only and subsequently for a further period upto 4th January 1955. During the first 14 days of Mr. Pereira's absence when acting arrangements could not be made as were not admissible under rules his duties were carried out departmentally by Mr. Chudappa, then seniormost fitter in loco shop and on the basis of his thus carrying out the duties of chargeman departmentally he was allowed to act for a full period of the latter's leave as there was then no time left for going through the formalities of finding out by an *Ad Hoc* Committee the suitable persons from amongst the employees senior to Mr. Chudappa, as per the combined seniority referred to above to act in the said post of Chargeman, loco shop."

The Chief Engineer further went on to point out that the combined seniority of fitters in loco shop, workshop loco shed, Wadala and Wagon Repair Section referred to above was trifurcated. Seniority of the fitters in the loco shop was also revised on the basis of their first appointment in the post of fitter following the representation made by the same union (i.e. B.P.T. Employees' Union) for fixation of the seniority of Mr. Hussain Adam, Light House Mechanic in their letter No. M/S 212 of 13th February 1954. As per this revised seniority list of fitters Mr. M. Chudappa was ranked third in loco shop thereafter."

15. With regard to the appointment of Chudappa as chargeman again from 2nd March 1959 to 14th March 1959 the Chief Engineer stated that the appointment was made as a special case when the Chargeman of the shop had again abruptly absented himself on medical grounds and as also the suitability of the senior most fitters as per the revised seniority list viz., Mr. N. N. Patil and Mr. M. S. Balg for the purposes of promotion was still then not assessed."

16. The most significant fact with regard to establishing the suitability and seniority of Shri N. N. Patil as chargeman is contained in para 7 of the Chief Engineer's letter which is as follows:—

"However, as an *ad hoc* committee appointed subsequently for the purpose has found the seniormost fitter Mr. N. N. Patil to be suitable for the promotion and has recommended that he should be given an opportunity to carry out the duties of chargeman whenever the next vacancy arises. This recommendation would be followed hereafter and Mr. Chudappa's superseding Mr. Patil would not normally arise any longer or as a special case too."

17. It appears that in the meantime in June 1959, the unions of the Port Trust workmen in pursuance of a resolution adopted by the All India Port and Dock Workers' Federation, submitted lists containing numerous demands and threatening the employers with strike on default of compliance with the said demands. Demand No. 11 of the Bombay Port Trust Employees' Union was that, "apprentice's service should be considered as a part of service in the past for all purposes viz., promotion, gratuity etc." This demand was, however, rejected by the Bombay Port Trust and the union protested by its letters dated 4th August 1959 and 28th September, 1959 (Ex. E), but these protests were rejected by the Chief Engineer's letter dated 24th November, 1959 (Exhibit D), referred to earlier.

18. One would have expected that after this, Patil's seniority would be recognised and there would be no further controversy on this issue, but surprisingly even after the decision of the *ad hoc* committee and the Chief Engineer's letter of 24th November, 1959 (Exhibit D), discussions appear to have taken place between the General Manager of the Bombay Port Trust with the General Secretary of the Bombay Port Trust Employees' Union during which it was agreed, in disregard of the previous decisions on the point, that apprenticeship

service would not count towards seniority as a general rule but that apprentices who had been appointed to regular posts immediately on the conclusion of their apprenticeship and had prior to the 1954 revision of the seniority list been allowed the benefit of counting apprenticeship for seniority would continue to get that benefit as a "personal concession". This was recorded in the B.P.T.'s letter of 15th February 1960 addressed to the General Secretary of the B.P.T. Employees' Union (Exhibit F) and in accordance with the settlement thus arrived at between the General Manager and the B.P.T. Employees' Union, Chudappa was once again ranked as the seniormost fitter in place of Shri N. N. Patil, who had since the date of the recommendation of the *ad hoc* committee been recognised as the seniormost fitter and it was as a result of this letter dated 15th February 1960 (Ex. F) of the employers, that Patil was asked to hand back to Chudappa the keys as seniormost fitter which he was holding. Thereupon, the B.P.T. General Workers' Union by its letter dated 14th May, 1960 (part of Exhibit G) protested against this change in the order of seniority and demanded that Patil should be appointed to the post of chargeman (wrongly stated as assistant chargeman) which he had been holding since 24th September, 1959. The Bombay Port Trust by its Deputy Secretary's letter dated 13th April, 1961 turned down the request stating that the Bombay Port Trust's orders were, "not meant to protect any individual employee but were of a general nature to cover the apprentices who immediately on completion of their term of apprenticeship were absorbed in the regular establishment and had prior to the 1954 revision of the seniority list been allowed the benefit of counting apprenticeship service for seniority. It however so happened that Shri Chudappa was the only person who was benefited by this order." (Part of Annexure G to Bombay Port Trust's written statement).

19. Shri S. Maitra has had hard things to say about this so called settlement arrived at by the General Manager and the Bombay Port Trust Employees' Union. In his written statement he has used strong language protesting against this and his contention was that the general principle which was enunciated and adopted by the Bombay Port Trust's letter of 15th February 1960 (Exhibit F) and the letter of 13th April, 1961 (Ex. G) were not general principles at all but were meant to benefit only Chudappa, as it is admitted that out of the thousands of employees in the Bombay Port Trust the general principle of recognising the period of apprenticeship for purposes of seniority to cover those apprentices who immediately on completion of their term of apprenticeship were absorbed in the regular establishment and had prior to the 1954 revision of seniority list had been allowed the benefit of counting apprenticeship service for seniority would have as admitted by the Bombay Port Trust in its letter of 13th April, 1961, benefited only one employee, namely Chudappa. I entirely agree with Shri Maitra when he argued that the enunciation of this general principle was really meant to benefit only Shri Chudappa and that in effect it was a reversion to the pre-1954 seniority list which as I have pointed out earlier was wrong in including the apprenticeship period and against which this union itself (the B.P.T. Employees' Union) had so strongly protested by its letter dated 13th February, 1954 (Exhibit C). The only plea that has been suggested for this so called settlement is that the General Manager was actuated with a desire to maintain industrial peace as the Bombay Port Trust Employees' Union evidently was the Union which had a good deal of support among the workmen. I am not impressed by this argument. In view, however, of the attitude of neutrality rightly adopted at the hearing by Shri Nariman on behalf of the administration, I do not wish to dwell further on this point except to state that the whole thing strikes me as being an attempt to benefit only one employee viz., Shri M. Chudappa.

20. Shri Maitra has next relied on Trustees' Resolution No. 762 dated 5th July, 1957 where the question was whether the period of apprenticeship should be calculated for the purpose of computing service in cases of retrenchment and the legal opinion was that such period should not be counted. Shri Nariman has pointed out that that resolution cannot support Shri Maitra's contention as it had no analogy to the present case because there the question was of calculation of the periods of apprenticeship for the purposes of determining the compensation payable to a workman and the legal opinion which the Port Trust received was based on the decisions of the Labour Appellate Tribunal and awards of Industrial Tribunal that apprenticeship could not count as service for the purpose of retrenchment compensation and this was the view which the Trustees accepted by resolution No. 762 of 5th July, 1957. I am inclined to agree with Shri Nariman that there is no analogy for computing length of service for the purposes of retrenchment compensation with the question of determining of seniority in service.

21. I am also not convinced with Shri Maitra's contention that the settlement of 2nd April, 1959 before the Conciliation Officer had been flouted when the principle as enunciated by the General Manager in his letter of 2nd April, 1960 was accepted. What was accepted in the settlement of 2nd April, 1959 before the Conciliation Officer was that a certain number of posts of a semi-permanent nature were to be made permanent. I agree with Shri Nariman that it had not bearing on the question whether apprenticeship period should be counted for seniority. However, Shri Nariman has fairly conceded that para 4 of the Bombay Port Trust's letter of 2nd April 1960 had reiterated the principle that apprenticeship period does not count for seniority, Shri Nariman has also conceded that Shri Patil's seniority could be supported on the ground that when considering promotion to a higher post what has to be seen are the respective dates of confirmation in the post from which the promotion is to be made subject of course to suitability for the appointment and that it is admitted that Shri Patil was senior to Chudappa as fitter from which post the promotion to the chargeman's post was to be made. With regard to the question of suitability, we have the decision of the *ad hoc* committee that Patil was suitable to be promoted to the post of chargeman. Therefore, both on the application of the correct principles regarding promotion and of confirmation in the post from which the promotion is to be made as also on the grounds of suitability, Shri Patil was clearly entitled to the post of chargeman in preference to Chudappa.

22. Shri Deshmukh has on behalf of Chudappa strenuously argued that prior to 1954 the principle was that the period of apprenticeship should be calculated in determining the seniority and that the Mechanical Superintendent had prepared the seniority list in 1954 on the basis of that practice. But I am not impressed by this contention as Shri Deshmukh's union itself had on 13th February, 1954 protested against this method of computing seniority and its case was that it was never the practice to include the period of apprenticeship for determining seniority in service. I am not satisfied with Shri Deshmukh's explanation that his union was mistaken in believing that the period of apprenticeship would count for seniority in service. I think the union changed its position only to support Shri Chudappa's case and not because there was any bonafide misunderstanding about the existing practice when it wrote its letter of 13th February, 1954. Shri Deshmukh has referred to demand No. 11 in the charter of demands of June 1957 which his union has submitted to the Bombay Port Trust. By that demand the union had claimed that apprenticeship service should be considered as part of service as in the post for the purpose of promotion, gratuity etc. and Shri Deshmukh has laid emphasis on the words 'In the past' appearing in that demand. But in view of the fact that this very union by its letter of 13th February, 1954, had categorically denied this practice, the use of the words as 'in the past' in the Union's letter of June 1957 loses all its force. But by T. R. No. 762 of 5th July 1957 this demand was rejected by the Bombay Port Trust. Shri Deshmukh has relied in this connection upon a letter addressed by the General Secretary of his union to the General Manager in which he had referred to there being a practice and rule in the Port Trust to count apprenticeship service for the sake of determining seniority of service for payment of gratuity. But the Bombay Port Trust by its letter dated 25th July, 1959 clearly stated that there was no such practice in the past and pointed out that the union by its letter of 13th February 1954 had stated that apprenticeship service should not be taken for purposes of seniority for promotion. I do not think that the mere reference to that practice in the union's letter establishes any such practice even prior to 1954.

23. Shri Deshmukh has next relied upon 11 memos of the B.P.T. workshop for the period from 28th December, 1953 to 22nd June, 1959 which had been signed by Chudappa and not by Patil in support of his contention that Chudappa was the seniormost fitter and had acted as chargeman. Shri Maitra has stated that these workshop memos were signed by Chudappa in the absence of Shri Pereira the chargeman and it had been established that Chudappa was acting as chargeman. It only showed at best that in Mr. Pereira's absence Chudappa had signed these memos. I am not satisfied that the fact that Chudappa had signed these memos can support his claim over Patil in replacing him in the post of chargeman.

24. I, therefore, hold on issue No. 1 that Shri Namdeo Patil, Fitter is senior to Shri M. Chudappa.

25. The next question to consider is whether Shri Patil should be promoted to the post of chargeman with retrospective effect from 23rd April, 1960. It appears that after the General Manager's order of 15th February, 1960, the keys were returned to Chudappa by Patil from 22nd April, 1960 and it has been argued by

Shri Deshmukh that it would not be fair or proper to deprive Chudappa of this seniority. He has argued that even assuming that Patil is senior in service it would not be proper to promote Patil to the post of chargeman considering that Chudappa had acted as chargeman since 22nd April, 1960 after the General Managers order dated 15th February, 1960. But it has to be remembered that the *ad hoc* committee had found Patil to be the seniormost fitter and had considered him suitable for promotion to the post of chargeman. The Chief Engineer by his letter dated 24th November, 1959 had directed that the supersession of Patil by Chudappa should not arise any longer even as a special case. I am, therefore, not satisfied that there is any justification for allowing Chudappa to continue as chargeman when Shri Patil has both on the basis of his service as fitter and on the basis of his suitability been recognised as being entitled to the post of chargeman.

26. It has also to be remembered that whenever Chudappa was appointed as chargeman it was only his sectional seniority that was taken into account. It is, however, not denied that for promotion to the post of chargeman what has to be taken into account is the combined seniority of Fitters in loco shop, B. P. T. Workshop, loco shed Wadala and the Wagon Repair Shop, and that Patil was recognised as senior to Chudappa on this departmental seniority. What counts for the appointment of chargeman is combined seniority department-wise as stated above and not sectional seniority and it is clear that when the Chief Engineer in his letter dated 24th November, 1959 referred to Chudappa being the seniormost fitter he was referring to sectional seniority in the loco shop his seniority then being fixed on the basis of his first appointment as an apprentice and not the combined seniority departmentwise which is relevant for the purpose of the promotion to the post of chargeman, on which basis Chudappa was not the seniormost I am, therefore, not satisfied that a case has been made out for not disturbing the seniority of Chudappa. I am impressed by Shri Maitra's unchallenged statement that in no case except that of Chudappa has the Port Trust ever given seniority on the basis of the period of apprenticeship being counted as period of service. In the result on the second issue under reference I direct that Shri N. N. Patil should be promoted to the post of chargemen, with retrospective effect from 23rd April, 1960.

No order as to costs.

SALIM M. MERCHANT,

Presiding Officer,

Central Govt. Industrial Tribunal, Bombay.

[No. 28/56/61/LR.IV.]

New Delhi, the 27th March 1962

S.O. 951.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Labour Court, Delhi, in the matter of an application under section 33A of the said Act from Shri C. G. Viswanathan, an employee of the Devkaran Nanjee Banking Company Limited.

BEFORE THE CENTRAL GOVERNMENT LABOUR COURT, DELHI CAMP AT BOMBAY

PRESENT:

Shri E. Krishna Murti, Central Government Labour Court, Delhi Camp. at Bombay. 6th March, 1962.

APPLICATION U/S. 33A of the Industrial Disputes Act, 1947.

I. D. No. 18 of 1962

Shri C. G. Viswanathan, Shantiniketan, 8th Road, Chambur, Bombay-71—*Complainant*.

Vs.

M/s. Devkaran Nanjee Banking Co. Ltd., Horniman Circle, Fort, Bombay-1—*Respondent*.

Shri N. R. Pandit—for the management.

Shri C. G. Viswanathan—*Workman in person*.

IN THE MATTER OF Complaint No. 267 of 1961, in Ref. No. 1 of 1960, pending before the National Industrial Tribunal (Bank Disputes) Bombay-1.

AWARD

This is a petition under Section 33A of the Industrial Disputes Act.

2. The petitioner alleges, that he is a workman concerned in the industrial dispute Reference No. 1 of 1960, pending adjudication before the National Tribunal, that he is a workman that he is an officer of a registered trade union, that the opposite party, M/s. Devkaran Nanjee Banking Company Limited have contravened Section 33 of the Industrial Disputes Act, that he was served with a show cause notice by the Bank threatening disciplinary action, that this amounts to unfair labour practice, and that the bank should be directed not to resort to such unfair labour practice, and to refund the unauthorised cut in wages.

3. The contention on behalf of the management is, that the present petition is incompetent, and misconceived, that the application is not maintainable under Section 33A, that, in any case, the bank had the right to take disciplinary action, that the applicant's claim for recovery of Rs. 15.75 is in the nature of damages, that there is no contravention of Section 33, and that the petitioner is not entitled to any relief.

4. The issues, that arise for determination, are:—

- (1) Whether the petition, as brought, is maintainable?
- (2) Whether there is a contravention of Section 33 of the Industrial Disputes Act?
- (3) Whether the petitioner is entitled to the relief claimed?

Issues No. 1 and 2.

5. At the time this petition came on for hearing, the memo., Ext. W/1, was filed on behalf of the petitioner. Therein the petitioner made a request for withdrawing the petition, with permission to file a fresh petition, if necessary. In view of the request for withdrawal, this application is permitted to be withdrawn, with liberty to file a fresh application if necessary.

Issue No. 3.

6. The question, whether the petitioner is entitled to the relief claimed, or not does not arise in this petition. In view of the fact, that the petitioner is withdrawing the petition, all questions relating to the merits of the dispute are left open, and are not decided herein.

7. In the result, the petition is dismissed as withdrawn, with permission to file a fresh petition, if necessary. No order as to costs.

8. An award is passed accordingly.

Two pages.

(Sd.) E. KRISHNA MURTI.

The 6th March, 1962.

[No. 55(14)/61-LRIV.]

ORDER

New Delhi, the 23rd March 1962

S.O. 952.—In exercise of the powers conferred by the second proviso to sub-section (3) of section 19 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby extends the period of operation of the award of the National Industrial Tribunal, Bombay, published with the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 578, dated the 4th March, 1960 in the Gazette of India Extraordinary Part II, section 3, sub-section (ii), dated the 4th March, 1960, for a further period of one year from the date of expiry of the period for which the operation of the said award was extended by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1347, dated the 2nd June, 1961.

[No. 17/2/62-LRIV.]

G. JAGANNATHAN, Under Secy.

New Delhi, the 24th March 1962

S.O. 953.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Labour Court, Delhi, constituted by the Order of the Government of India in the Ministry of Labour and Employment, No. 782 dated the 1st April 1959:

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri P. D. Vyas as Presiding Officer of the Labour Court constituted as aforesaid.

[No. 1/13/62-LRI.]

S.O. 954.—Whereas a vacancy has occurred in the office of the Presiding Officer of the Industrial Tribunal, Delhi, constituted by the Order of the Government of India in the Ministry of Labour and Employment, No. S.R.O. 2389 dated the 10th July, 1957:

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri P. D. Vyas as Presiding Officer of the Industrial Tribunal constituted as aforesaid.

[No. 1/13/62-LRI.]

P. M. MENON, Secy